DOCUMENTS DEPARTMENT

5 CLOSED STACK

GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY

SAN FRANCISCO
PUBLIC LIBRARY

REFERENCE
BOOK

Not to be taken from the Library

MAR 29 1991

SAN FRANCISCO PUBLIC LIBRARY

3 1223 90119 8797

Vol. 84 No. 40

Monday, October 2, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
MAR 2 8 1990
SAN FRANCISCO
PUBLIC LIBRARY

DOCUMENTS DEPT.
SAN FRANCISCO
PUBLIC LIBRARY
*352
Sa52:7
84
Oct-Dec.
1989

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 2, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hongisto, Maher, Nelder, Walker - 7.

Noted absent at first roll call:

Supervisors Gonzalez, Hsieh, Kennedy, Ward - 4.

Quorum present.

Supervisor Gonzalez was noted present at 2:06 p.m.

Supervisor Hsieh was noted present at 2:03 p.m.

Supervisor Kennedy was noted present at 2:20 p.m.

Supervisor Ward was noted present at 2:04 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Nelder, moved that the Journals of Proceedings for Monday, June 5 and Wednesday, June 7, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

Presentation of Guest

Monday, October 2, 1989

Supervisor Nelder introduced and welcomed Artist Ralph Fasanella.

SPECIAL ORDER - 2:00 P.M.

Report Made

[City Message]
Mayor's State of the City Message.

File 88-89-1

Mayor Art Agnos appeared and presented his State of the City message (A copy of which is on file in the office of the Clerk of the Board of Supervisors).

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hallinan requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $12,000, Police Department, for program project budget (enforcement) to fund one year license for storage space at the Hunters Point Naval Shipyard to house confiscated vehicles seized from drug traffickers. (Controller)

File 101-89-22, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Walker, moved to continue consideration to October 10, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Gonzalez - 1.

Severed from Consent Calendar

Supervisor Alioto requested that the following measure be severed from the Consent Calendar and considered separately.

Monday, October 2, 1989

Recommendation of Governmental Operations Committee

Finally Passed

[Retirement Benefits]
Ordinance amending Administrative Code, relating to "pick up" of employee contributions to the City and County Retirement System as authorized by Section 414(h)(2) of the Internal Revenue Code and adopting the limitations set forth in Sections 401(a) and 415 of the Internal Revenue Code. (Supervisor Gonzalez)

File 97-89-17, Ordinance No. 349-89

(Adds Sections 16.61-1, 16.61-2 and 16.61-3.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $40,700, Fire Department, for professional services (peer mediation program), for fiscal year 1989-90. (Controller)

File 101-89-26, Ordinance No. 340-89

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Payne-Whitney Company, Inc. Bay Cities Paving against the City and County by payment of $10,000. (City Attorney)

File 45-89-36, Ordinance No. 341-89

(Municipal Court No. 006-617.)

Finally passed.

Monday, October 2, 1989

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation entitled "City of Millbrae v. City and County of San Francisco, et al.," San Mateo Superior Court No. 285-273, in accordance with the terms and conditions of a stipulation and order and approving same, as well as authorizing execution of the stipulation and order by the City Attorney. (City Attorney)

File 46-89-13, Ordinance No. 342-89

(San Mateo Superior Court No. 285-273.)

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $30,000, Art Commission, for local match - State Partnership Art Policy Plan. (Controller)

File 101-89-20, Ordinance No.

Passed for second reading.

Adopted

[Employee Replacement]
Resolution approving the immediate filling of a vacated position of 2576 Supervising Clinical Psychologist, Laguna Honda Hospital, Department of Public Health. (Department of Public Health)

File 31-89-14, Resolution No. 748-89

Adopted.

Recommendations of Governmental Operations Committee

Finally Passed

[Contracts - Federal or State Funding]
Ordinance amending Administrative Code, to include contracts for the construction of public work or improvement involving financial assistance from the State of California. (Supervisor Kennedy)

File 97-88-8, Ordinance No. 343-89

(Amends Section 6.53.)

Finally passed.

[Employee Assistance Program]
Ordinance amending Administrative Code, requiring City departments

to advise employees of the Employee Assistance Program. (Supervisors Kennedy, Gonzalez)

File 97-89-24, Ordinance No. 348-89

(Adds Section 16.9-28.)

Finally passed.

Adopted

[Amendment of Lease]
Resolution authorizing amendment of lease of real property at 1095 Market Street (fifth floor and portion of fourth floor) for the Human Rights Commission. (Real Estate Department)

File 64-89-31, Resolution No. 750-89

Adopted.

Recommendation of Public Works Committee

Finally Passed

[Street Acceptance]
Ordinance accepting roadways, including curbs, of St. Francis Place, Flower Street, Burritt Street and a portion of Winston Drive. (Department of Public Works)

File 9-89-1, Ordinance No. 344-89

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $2,750,000, Municipal Railway, for capital improvement projects (Northern Waterfront) for fiscal year 1989-90;

placing $250,000 on reserve. (Controller)

File 101-89-27. Ordinance No. 345-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of estate of Guenter Kaussen against the City and County for $350,000. (City Attorney)

File 46-89-12. Ordinance No. 346-89

(Court of Appeal of the State of California, First Appellate District, Civil No. A 941634, Probate Court No. 240596.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Hongisto - 1.

Passed for Second Reading

[Lease Amendment]
Ordinance approving second amendment to the stadium lease between the City and County by and through its Recreation and Park Commission and the San Francisco Giants. (Supervisor Britt)

File 65-89-5. Ordinance No.

Supervisor Walker, seconded by Supervisor Maher, moved to continue consideration to October 16, 1989.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hongisto, Hsieh, Maher, Walker - 5.

Noes: Supervisors Alioto, Britt, Hallinan, Kennedy, Nelder, Ward - 6.

After a period of debate, the roll was called on the pending legislation and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Nelder, Ward - 6.

Noes: Supervisors Gonzalez, Hongisto, Hsieh, Maher, Walker - 5.

Recommendation of Human Services Committee

Finally Passed

[Museums]
Ordinance amending Administrative Code, to authorize the Board of Trustees of the Fine Arts Museums to transfer title to certain works of art or other articles when such transfer is in the public interest and to correct name references. (Supervisor Maher)

File 97-89-30, Ordinance No. 347-89

(Amends Sections 28.1, 28.2 and 28.5;
Adds Section 28.6.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Walker - 1.

Recommendations of Public Works Committee

Passed for Second Reading as Amended

[Condominium Conversion Limitation]
Ordinance amending Subdivision Code, to modify the definition of conversion, to provide that the conversion of two-unit buildings is exempt from the code where the building is owner-occupied for one year prior to application for conversion, to extend the 200 unit annual limit on condominium conversions for four years, to clarify the definition of continuous ownership, and to exempt the conversion of stock cooperatives from the 200 unit annual limitation where 75 percent of the units have been continuously occupied by owners of record for three years prior to application for conversion. (Supervisors Kennedy, Hsieh)

File 126-89-3, Ordinance No.

(Amends Sections 1308, 1359, 1396.)

Supervisor Kennedy, seconded by Supervisor Hongisto, moved to amend page six, line eight, after the word "Code" by inserting ", which, on or before December 1982, met the criteria for community apartments in Section 1308 of this Code and which were approved by the Department of Public Works on or before December 31, 1982, and".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Consideration Continued

[Condominium Transfer Administration]
Ordinance amending Subdivision Code, to transfer responsibility for administering the provisions of the code concerning the resale of units converted to condominiums from the Department of Real Estate to the Mayor's Office of Housing. (Supervisor Kennedy)

File 126-89-4, Ordinance No.

(Amends Sections 1341B and 1343.)

Supervisor Hsieh, seconded by Supervisor Hallinan, moved to continue consideration to October 10, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Governmental Operations Committee

Refused Adoption

[Lease]
Resolution authorizing amendment of lease of real property at 1049 Market Street for the Police Department, Senior Escort Program. (Real Estate Department)

File 64-89-21, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hongisto, Walker, Ward - 5.

Noes: Supervisors Alioto, Britt, Hsieh, Kennedy, Maher, Nelder - 6.

Adopted

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding with Engineers and

Scientists (MEBA) (AFL-CIO) for fiscal year 1989-90 and 1990-91. (Employee Relations Division)

File 93-89-17, Resolution No. 751-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $280,000, Human Rights Commission, for permanent salaries and related mandatory fringe benefits, professional services, training, services of other departments - Controller's data processing, Purchasing - general office and data processing equipment, for the creation of two positions, for fiscal year 1989-90; placing $72,565 on reserve. (Controller)

File 101-89-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989 90, Human Rights Commission, reflecting the addition of two positions; companion measure to File 101-89-19. (Civil Service Commission)

File 102-89 7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Government Funding]
Ordinance appropriating $3,455,853, Airports Commission, for judgment and claims, for fiscal year 1989-90. (Controller)

File 101-89-23, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Government Funding]
Ordinance appropriating $41,100, Recreation and Park Department, for program project budget (San Francisco County Fair - Flower Show), for fiscal year 1989-90; and providing for ratification of action previously taken. (Controller)

File 101-89-25, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Government Funding]
Ordinance appropriating $85,624, City Planning, for temporary salaries and related mandatory fringe benefits, data processing services, equipment maintenance, telephone, word processing equipment and reproduction (1990 Census). (Controller)

File 101-89-31, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Government Funding]
Ordinance appropriating $2,179,000, Sheriff, for facilities maintenance and capital improvement projects (Proposition 52 start-up project), for fiscal year 1989-90; placing $410,149 in reserve. (Supervisor Hallinan)

File 101-89-33, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Public Health]
Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 97-89-33, Ordinance No.

(Amends Section 16.6-10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Maher, Walker, Ward - 7.

Noes: Supervisors Hallinan, Hsieh, Nelder - 3.

Absent: Supervisor Kennedy - 1.

[Hold Harmless Agreements]
Ordinance amending Administrative Code, authorizing the Airports Commission to enter into hold harmless agreements with governmental entities for Airport Police Officer Training. (Airports Commission)

File 97-89-34, Ordinance No.

(Adds Section 1.25-6.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Revolving Fund]
Ordinance amending Administrative Code, Recreation and Park Department, to increase revolving fund from $17,250 to $27,250. (Recreation and Park Department)

File 97-89-35, Ordinance No.

(Amends Section 10.160.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Rereferred to Committee

[Claim Against the Government]
Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County in the sum of $30,095.37 a legal obligation of the City and County. (Controller)

Monday, October 2, 1989

File 23-89 9. Resolution No.

Supervisor Nelder, seconded by Supervisor Gonzalez, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher - 2.

Adopted

[Employee Replacement]
Resolution approving immediate filling of vacated position of 5364 Engineering Associate I. (Port Commission)

File 31 89-12, Resolution No. 747-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher 2.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Access Roads - Candlestick Park]
Ordinance amending Traffic Code, regarding access to Candlestick Park, by altering the access road system established for events at Candlestick Park. (Department of Public Works)

File 124-89-17, Ordinance No.

(Amends Section 32.4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher 2.

Adopted

[Street Vacation]
Resolution declaring intention of Board of Supervisors to vacate a portion of the street area at the intersection of Otis and Mission Streets; and setting the hearing date for November 6, 1989 at 3:00 p.m., for all persons interested in the proposed vacation. (Department of Public Works)

Monday, October 2, 1989

File 198-89-5, Resolution No. 754-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Maher - 2.

Recommendation of Land Use Committee

Adopted

[Interim Controls - Gasoline Stations]
Resolution imposing interim zoning controls to temporarily prohibit the conversion of service stations to non-service station uses for an eighteen month period unless the owner can demonstrate that it cannot make a fair return, and establishing a task force to study permanent controls and to advise the Board of Supervisors. (Supervisors Hallinan, Walker)

File 111 89-5, Resolution No.

(Exempt from Environmental review.)

Supervisor Hsieh Excused From Voting

On advice from the City Attorney, Supervisor Hsieh, seconded by Supervisor Walker, moved to excuse himself from voting because of potential conflict of interest.

Motion to excuse Supervisor Hsieh from voting adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Nelder, Walker, Ward - 8.

Absent: Supervisors Hongisto, Hsieh, Maher - 3.

Supervisor Nelder, seconded by Supervisor Ward, moved to amend by replacing "18" with "twelve" month period.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Kennedy, Nelder, Ward - 3.

Noes: Supervisors Alioto, Britt, Hallinan, Hongisto, Walker - 5.

Excused: Supervisor Hsieh - 1.

Absent: Supervisors Gonzalez, Maher - 2.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Kennedy, Walker, Ward - 7.

Noes: Supervisor Nelder - 1.

Excused: Supervisor Hsieh, - 1.

Absent: Supervisors Gonzalez, Maher - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of persons interested in the reports submitted by the General Manager of Public Utilities - the Transit Impact Development Fee Cost Validation for fiscal years 1985-86 and 1986-87, and the report of the Department of City Planning estimating the number of peak-period person-trips generated per gross square foot of office use.

Files 159-89-2, 159-89-3

There being no one present desiring to speak, the President declared the hearing closed.

From Public Utilities Commission

Adopted

[Transit Impact Development Fee Schedule]
Resolution establishing the Transit Impact Development Fee Schedule for fiscal year 1985-86 at $5.00 per square foot of office use in new development. (Public Utilities Commission)

File 159-89-2, Resolution No. 752-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Hongisto - 1.

[Transit Impact Development Fee Schedule]
Resolution establishing the Transit Impact Development Fee Schedule

for fiscal year 1986-87 at $5.00 per square foot of office use in new development. (Public Utilities Commission)

File 159-89-3, Resolution No. 753-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Hongisto - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John Grant.

Supervisor Gonzalez Excused

President Britt announced he had excused Supervisor Gonzalez from the remainder of the meeting.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1 89-40, Resolution No. 746-89

(Harry G. Britt, President, Board of Supervisors, October 5 - 10; Tom Hsieh, member, Board of Supervisors, October 13 - 15; Dale A. Carlson, member, Public Library Commission, September 25 - 29 and October 4 - 9; Dr. Maurice Mann, member, Retirement Board, October 3 - 5; Donald R. Stephens, member, Airports Commission, October 1 - 5 and 12 - 19, 1989.)

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a grant of $2,756,926 from the State of California Department of Health Services to fund the Master Grant Agreement Consolidated Funding Program. (Supervisor Britt)

File 146-89 56, Resolution No. 744-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker, Ward - 7.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Worksite Infant Care Center]
Ordinance amending Administrative Code by adding Section 10.117-92 creating a Worksite Infant Care Center Special Fund. (Supervisor Ward presented.) Referred to Finance Committee.

File 97-89-43

[Southeast Community Facility Commission]
Ordinance amending Administrative Code Section 54.2 to substitute the term president for chairperson and to increase the payment for attendance of commission meetings from $25.00 to $50.00 per meeting. (Supervisor Ward presented.) Referred to Finance Committee.

File 97-89-44

[Contracts, $50,000 - $10 million]
Ordinance amending Administrative Code by adding Sections 6.29 1, 6.29 2, 21.11-1 and 21.11-2 raising from $50,000 to $10 million the threshold level for Charter Section 7.200 prescribed procedures for the award of public works and purchasing contracts; requiring that public works contracts in excess of $50,000 and not exceeding $10 million be awarded in accordance with the procedures of the Administrative Code, including Chapter 12D. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 97 89-45

[Hospital Parking]
Resolution establishing as City policy the maintenance of free parking for employees, visitors and patients at San Francisco General Hospital and Laguna Honda Hospital. (Supervisor Nelder presented.) Referred to Human Services Committee.

File 186-89-25

[Disabled Access] Resolution making it official policy of the Board of Supervisors to include requests for accessibility studies in all projects, programs and improvements that it considers. (Supervisor Nelder presented.) Referred to Public Works Committee.

File 267 89 1

Requests for Hearings

File 193-89-10, By Supervisor Maher: To consider urging the Mayor to urge the Recreation and Park Commission to designate part or all of Bernal Heights Boulevard an official dog run area. Referred to Public Works Committee.

File 268 89-1, By Supervisor Maher: To consider urging the Mayor to urge the Department of Public Health to conduct a needs assessment to determine the social, economic and physical effects of high alcohol cheap wines on our community. Referred to Human Services Committee.

File 268-89-2, By Supervisor Maher: To consider urging the manufacturers, distributors and merchants of high alcohol cheap wines to voluntarily ban the sale of these wines in the City of San Francisco. Referred to Human Services Committee.

Motion Referred to Committee

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1988 89 Civil Grand Jury to the Presiding Judge of the Superior Court who empaneled that Civil Grand Jury. (Supervisor Hongisto presented.) Referred to Oversight Committee.

File 39 89-4

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Nelder, that City Attorney draft appropriate legislation amending Health Code to prohibit smoking inside coin-operated laundromats and similar facilities where the presence of tobacco smoke would cause clean clothes to become soiled with its odor and requesting information on establishments in addition to laundromats where smoke can adversely affect the property of others.

By Supervisors Hsieh, Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker and Ward, that letter of inquiry be sent to Attorney General, U. S. Department of Justice, to determine whether the Attorney General and the Federal Bureau of Investigation are investigating the July 29 murder of Mr. Ming Hai Loo and the harassment of four other Asian men, for violation of federal civil rights laws.

By Supervisor Kennedy, that letter of inquiry be sent to promoters and sponsors of Festa Italiana to determine why no admission was allowed after 9:00 p.m. when the hours posted on the tickets were from 12 noon to 11:30 p.m. and why those turned away were told no refunds were available.

By Supervisor Kennedy, that letter of inquiry be sent to Human Rights Commission to ascertain whether Lucy's Sales (#27-089-00433) was or is currently certified a minority business enterprise.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation that will amend the minority business enterprise (MBE) ordinance to grandfather all minority business enterprise/women business enterprises who have been certified as MBE's prior to the enactment of the amended ordinance.

By Supervisor Kennedy, that letter of inquiry be sent to Housing Authority to determine whether grant applications submitted by the Housing Authority indicate different treatment of senior housing from family housing for purposes of rehabilitation or maintenance.

By Supervisor Kennedy, that letter of inquiry be sent to Housing Authority to determine whether tenants are being charged dues to a public housing tenants' association and whether a copy of the budget for these funds may be forwarded for review.

By Supervisor Gonzalez, that letters be sent to City Librarian and Director of Public Works inquiring whether the departments can make improvements and repair building deficiencies at the Excelsior Branch Library Building, such as, new roof, new carpeting, building steel and glass curtain at the sidewalk line across the main entrance area and installation of louvers.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Lawrence Layden (Supervisor Britt)
Louis Pollard (Supervisors Kennedy, Ward)
Jyr Lee (Supervisor Hsieh)

File 2-89 40

Unanimously adopted by a rising vote.

Monday, October 2, 1989

ADJOURNMENT

There being no further business, the Board at the hour of 5:59 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, October 2, 1989

Approved by the Board of Supervisors on January 29, 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 41

TUESDAY, October 10, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
MAR 2 8 1990
SAN FRANCISCO
PUBLIC LIBRARY

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, October 10, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Noted absent at first roll call:

Supervisors Gonzalez, Maher, Ward - 3.

Quorum present.

Supervisor Gonzalez was noted present at 2:16 p.m.

Supervisor Maher was noted present at 2:17 p.m.

Supervisor Ward was noted present at 2:17 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Walker, moved that the Journal of Proceedings for Monday, June 12, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Alioto, Gonzalez, Maher, Ward - 4.

CONSENT CALENDAR

Tuesday, October 10, 1989

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $280,000, Human Rights Commission, for permanent salaries and related mandatory fringe benefits, professional services, training, services of other departments - Controller's data processing, Purchasing - general office and data processing equipment, for the creation of two positions, for fiscal year 1989-90; placing $72,565 on reserve. (Controller)

File 101-89-19, Ordinance No. 350-89

Finally passed.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Human Rights Commission, reflecting the addition of two positions; companion measure to File 101-89-19. (Civil Service Commission)

File 102-89-7, Ordinance No. 351-89

Finally passed.

[Government Funding]
Ordinance appropriating $30,000, Art Commission, for local match - State Partnership Art Policy Plan. (Controller)

File 101-89-20, Ordinance No. 352-89

Finally passed.

[Government Funding]
Ordinance appropriating $3,455,853, Airports Commission, for judgment and claims, for fiscal year 1989-90. (Controller)

File 101-89-23, Ordinance No. 353-89

Finally passed.

[Government Funding]
Ordinance appropriating $85,624, City Planning, for temporary salaries and related mandatory fringe benefits, data processing services, equipment maintenance, telephone, word processing equipment and reproduction (1990 Census). (Controller)

File 101-89-31, Ordinance No. 354-89

Finally passed.

Tuesday, October 10, 1989

[Government Funding]
Ordinance appropriating $2,179,000, Sheriff, for facilities maintenance and capital improvement projects (Proposition 52 start-up project), for fiscal year 1989-90; placing $410,149 in reserve. (Supervisor Hallinan)

File 101-89-33, Ordinance No. 355-89

Finally passed.

[Hold Harmless Agreements]
Ordinance amending Administrative Code, authorizing the Airports Commission to enter into hold harmless with governmental entities for Airport Police Officer Training. (Airports Commission)

File 97-89-34, Ordinance No. 357-89

(Adds Section 1.25-6.)

Finally passed.

[Revolving Fund]
Ordinance amending Administrative Code, Recreation and Park Department, to increase revolving fund from $17,250 to $27,250. (Recreation and Park Department)

File 97-89-35, Ordinance No. 356-89

(Amends Section 10.160.)

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $316,000, Assessor's Office, for data processing for fiscal year 1989-90. (Supervisor Walker)

File 101-89-28, Ordinance No.

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Fina Vaiasicca against the City and County by payment of $6,000. (City Attorney)

File 45-89-37, Ordinance No.

(Superior Court No. 859-644.)

Passed for second reading.

Tuesday, October 10, 1989

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Dennis Bishop against the City and County by payment of $16,000. (City Attorney)

File 45-89-38, Ordinance No.

(United States District Court No. C88-0494)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Rita Williams against the City and County by payment of $20,000. (City Attorney)

File 45-89-39, Ordinance No.

(Superior Court No. 841-615)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of James O'Shea vs. Loren Douss, et al., upon receipt of the sum of $7,500 and authorizing dismissal of complaint. (City Attorney)

File 46-89-15, Ordinance No.

(Superior Court No. 891-652)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Carlos Hernandez vs. Homer J. Olsen, Inc., upon receipt of the sum of $2,000 and authorizing the execution of all necessary documents. (City Attorney)

File 46-89-16, Ordinance No.

Passed for second reading.

Recommendation of Governmental Operations Committee

Finally Passed

[Access Roads - Candlestick Park]
Ordinance amending Traffic Code, regarding access to Candlestick Park, by altering the access road system established for events at Candlestick Park. (Department of Public Works)

File 124-89-17, Ordinance No. 358-89

(Amends Section 32.4.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $12,000, Police Department, for program project budget (enforcement) to fund one year license for storage space at the Hunters Point Naval Shipyard to house confiscated vehicles seized from drug traffickers. (Controller)

File 101-89-22, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

Finally Passed

[Government Funding]
Ordinance appropriating $41,100, Recreation and Park Department, for program project budget (San Francisco County Fair - Flower Show), for fiscal year 1989-90; and providing for ratification of action previously taken. (Controller)

File 101-89-25, Ordinance No. 359-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

Tuesday, October 10, 1989

[Lease Amendment]
Ordinance approving second amendment to the stadium lease between the City and County by and through its Recreation and Park Commission and the San Francisco Giants. (Supervisor Britt)

File 65-89-5, Ordinance No. 361-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Nelder, Ward - 6.

Noes: Supervisors Gonzalez, Hongisto, Hsieh, Maher, Walker - 5.

[Public Health]
Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 97-89-33, Ordinance No. 360-89

(Amends Section 16.6-10.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Kennedy, Walker - 6.

Noes: Supervisors Hallinan, Hsieh, Nelder - 3.

Absent: Supervisors Maher, Ward - 2.

Recommendations of Public Works Committee

Passed for Second Reading as Amended

[Condominium Conversion Limitation]
Ordinance amending Subdivision Code, to modify the definition of conversion, to provide that the conversion of two-unit buildings is exempt from the code where the building is owner-occupied for one year prior to application for conversion, to extend the 200 unit annual limit on condominium conversions for four years, to clarify the definition of continuous ownership, and to exempt the conversion of stock cooperatives from the 200 unit annual limitation where 75 percent of the units have been continuously occupied by owners of record for three years prior to application for conversion. (Supervisors Kennedy, Hsieh)

File 126-89-3, Ordinance No.

(Amends Sections 1308, 1359, 1396.)

Supervisor Kennedy, seconded by Supervisor Walker, moved to amend page six, line 8 by inserting "31," after the word "December" and line 10 by inserting "as a subdivision" before the word "approved".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for Second Reading

[Condominium Transfer Administration]
Ordinance amending Subdivision Code, to transfer responsibility for administering the provisions of the code concerning the resale of units converted to condominiums from the Department of Real Estate to the Mayor's Office of Housing. (Supervisor Kennedy)

File 126-89-4, Ordinance No.

(Amends Sections 1341B and 1343.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $71,893, Sheriff, for permanent salaries and related mandatory fringe benefits, overtime and uniforms, for the creation of two positions. (Controller)

File 101-89-29, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, Sheriff's Department, reflecting the addition of two positions; companion measure to File 101-89-29. (Civil Service Commission)

File 102-89-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Government Funding]
Ordinance appropriating $124,053, Public Library, for permanent salaries, temporary salaries and related mandatory fringe benefits, telephone, printing and other contractual services, for the creation of three positions, for fiscal year 1989-90; and providing for ratification of action previously taken. (Controller)

File 101-89-30, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, Public Library, reflecting the addition of three positions; companion measure to File 101-89-30. (Civil Service Commission)

File 102-89-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Government Funding]
Ordinance appropriating $131,020, Treasurer/Tax Collector, for permanent and temporary salaries and related mandatory fringe benefits, data/word processing equipment maintenance, telephone, office supplies, minor furnishings, data processing equipment, services of other departments - Public Works - General Office; Controller - data processing; and City mail services, for the creation of two positions. (Supervisor Walker)

File 101-89-36, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisors Hsieh, Nelder - 2.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90 reflecting the addition of two positions in the Office of the Treasurer/Tax Collector; companion measure to File 101-89-36. (Supervisor Walker)

File 102-89-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisors Hsieh, Nelder - 2.

Adopted

[Emergency Work]
Resolution authorizing the Director of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to restore the integrity of the sewer on Townsend Street, Fifth to Sixth Streets. (Department of Public Works)

File 28-89-11, Resolution No. 756-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Emergency Work]
Resolution authorizing the Director of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to restore the integrity of the sewer on San Bruno Avenue, 25th Street to Army Street. (Department of Public Works)

File 28-89-12, Resolution No. 757-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Emergency Work]
Resolution approving a declaration of emergency, electrical power cable failure, Cable 12BABP-1 San Francisco International Airport - $120,000. (Airports Commission)

File 28-89-13, Resolution No. 758-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Recommendations of Governmental Operations Committee

Passed for Second Reading as Amended; Consideration Continued

[Film and Video Arts Commission]
Ordinance amending Administrative Code, authorizing the Office of the Mayor to enter into use agreements with film and other visual arts companies for use of City property, personnel and facilities and properties and requiring such companies to enter into use agreements, by creating a San Francisco Film and Video Arts Commission, by establishing the duties and authority of the commission, and by replacing the Mayor's Office Film Coordinator with an Executive Director appointed by the commission. (Supervisors Alioto, Gonzalez, Walker)

File 97-89-40, Ordinance No.

(Amends Chapter 57.)

Request Granted

Supervisor Walker requested letter to be sent to Budget Analyst requesting analysis of costs associated with this legislation; how the current "one stop shop" permit function will operate under the proposed new ordinance and review and report on the issue of authorizing the proposed commission to be the "sole" department to negotiate compensation, including gifts, for film productions.

No objection and Clerk directed to comply.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to amend page four, line 13, by deleting the word "outstanding".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Noes: Supervisor Hallinan - 1.

Supervisor Kennedy, seconded by Supervisor Hongisto, moved to amend page six, line 11 to read: "Mayor's Office, together with the Commission shall be the sole City department authorized to".

Motion refused adoption by the following vote:

Ayes: Supervisors Hongisto, Kennedy - 2.

Noes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 8.

Absent: Supervisor Ward - 1.

Supervisor Hongisto, seconded by Supervisor Kennedy, moved to amend page two, line 22, by deleting "six" and inserting "nine" to reflect that nine of the eleven commissioners shall be residents of San Francisco.

After a period of discussion, Supervisor Nelder, seconded by Supervisors Gonzalez and Maher, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

The roll was then called on Supervisor Hongisto's pending motion to amend page two and it was refused adoption by the following vote:

Ayes: Supervisors Hongisto, Kennedy, Walker - 3.

Noes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Ward - 8.

Request Granted

Supervisor Alioto requested Clerk be directed to request City Attorney to review and comment on the issue of authorizing the proposed commission to be the "sole" department to negotiate compensation, including gifts, for film productions.

No objection and Clerk directed to comply.

Supervisor Nelder, seconded by Supervisors Gonzalez and Maher, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 9.

Noes: Supervisors Hongisto, Kennedy - 2.

Because State law requires that proposed local action affecting the film industry be submitted to the California Film Commission for review and comment thirty days before the proposed action is to be adopted by the Board of Supervisors, Supervisor Walker, seconded by Supervisor Kennedy, moved consideration be continued to November 13, 1989.

After a period of discussion, Supervisor Walker, seconded by Supervisor Alioto, moved substitute motion to continue consideration to October 23, 1989.

Motion to continue to October 23, 1989 adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Consideration Continued

[Art Commission]
Resolution urging the Mayor to urge the Art Commission to invite the Chair of the Film and Video Arts Commission to attend the meetings of the Art Commission. (Supervisor Alioto)

File 97-89-40.1, Resolution No.

Supervisor Alioto, seconded by Supervisor Walker, moved to continue consideration to October 23, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Nelder assumed the Chair.

Recommendation of Human Services Committee

Passed for Second Reading as Amended

[Use of City Resources to Enforce Immigration Laws]
Ordinance amending the Administrative Code, affirming San Francisco's status as a City and County of Refuge, and prohibiting use of City and County resources to assist in enforcement of federal immigration laws. (Supervisors Walker, Gonzalez, Alioto, Britt)

File 97-89-42, Ordinance No.

(Adds Chapter 12H.)

Supervisor Walker, seconded by Supervisor Gonzalez, moved to amend page six, line one by inserting after the word "ordinance" the following: ", the duty of all of her or his employees to comply with

the prohibitions in this ordinance, and that employees who fail to comply with the prohibitions of the ordinance shall be subject to appropriate disciplinary action".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Kennedy, Ward - 4.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

The President reassumed the Chair.

From the Clerk

Adopted

[Condominium Project]
Motion approving final map of 1421 Masonic Avenue, a condominium project, being a resubdivision of Lot 1A in Assessor's Block 1270; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-21

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Condominium Project]
Motion approving final map of 3378-84 Sacramento Street, a condominium project, being a resubdivision of 3378-82 Sacramento Street; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-22

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Tuesday, October 10, 1989

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider adopting a resolution of necessity in connection with a proposal to acquire by eminent domain Lots 3 thru 6, 9, 11 and 13 in Assessor's Block 4629A (India Basin) for the Open Space Program.

File 168-89-5

The privilege of the floor was granted to the following person:

Tom Stone, property owner.

From the Real Estate Department

Adopted as Amended

[Eminent Domain]
Resolution authorizing acquisition of Lots 3 thru 6, 9, 11 & 13 in Assessor's Block 4629A (India Basin) by eminent domain for the Open Space Program, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 168-89-5.1, Resolution No. 760-89

Supervisor Nelder, seconded by Supervisor Hsieh, moved to amend page two, between lines two and three, by inserting the following: "RESOLVED, That acquisition of the subject parcel is exempt from environmental review under the guidelines of the California Environmental Quality Act, Section 15308, as determined by the City Planning Department."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Tuesday, October 10, 1989

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Gilbert Francois;
Lester Olmstead-Rose;
Ace Washington.

Closed Session Scheduled

Supervisor Maher, seconded by Supervisor Walker, moved that the Board of Supervisors hold closed session with the Chief of Police and President of the Police Commission on October 23, 1989 pursuant to Government Code Section 54956.9(b)(2) to determine whether significant exposure to litigation exists as a result of police involvement in Castro District demonstration on Friday, October 6, 1989 and how it relates to other similar incidents within last year or two.

Requests Granted

Clerk directed to send letter to President of Police Commission and Chief of Police inviting them to attend the closed session scheduled for October 23, 1989.

At the request of Supervisor Nelder, Clerk to send letter to City Attorney requesting written response concerning what the Board can address specifically during the closed session and whether the City may be exposing itself to possible litigation by holding public hearing on the matter.

At the request of Supervisor Hallinan, Clerk to send letter to Chief of Police inquiring what happened to liaison procedure established for monitoring such demonstrations.

At the request of Supervisor Kennedy, Clerk to send letter of inquiry to Chief of Police to determine whether information may be provided to the Board regarding the incident.

No objection and Clerk directed to comply.

After a brief period of discussion, the roll was called on the pending motion and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Maher - 6.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hsieh, Kennedy, Walker, Ward - 4.

Tuesday, October 10, 1989

Supervisor Walker Excused

President Britt announced he had excused Supervisor Walker from the remainder of the meeting.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-41, Resolution No. 755-89

(Bill Maher, member, Board of Supervisors, October 30; Philip Armour, member, Commission on the Aging, September 28 - 21; Alan D. Becker, Trustee, War Memorial Board of Trustees, October 11 - 17; Donald W. Dickinson, County Clerk, Superior Court, October 18 - 21; Sharon B. Duvall, member, Airports Commission, October 8 - 30; Allen C. Haile, President, Social Services Commission, October 8 - 14; Edward Helfeld, Executive Director, Redevelopment Agency, October 9 - 23; Claude M. Jarman, Jr., Vice President, War Memorial Board of Trustees, October 4 - 9; Frank M. Jordan, Chief of Police, October 13 - 18; Gary Kitahata, member, Redevelopment Agency, October 11 - 13; Frederick F. Postel, Chief of the Fire Department, October 15 - 21; Arlo Smith, District Attorney, November 8 - 12; Betty Lou Treguboff, member, Commission on the Aging, September 26 - October 17; Samuel Walker, member, Retirement Board, November 12 - 16, 1989.)

Adopted.

[Grant - State Funds]
Resolution expressing appreciation to the University of California, San Francisco on its 125th Anniversary. (Supervisors Britt, Alioto, Hongisto, Hsieh, Kennedy, Walker, Gonzalez, Hallinan, Maher, Nelder, Ward)

File 4-89-21, Resolution No. 761-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Ward - 6.

Absent: Supervisors Hongisto, Hsieh, Maher, Nelder, Walker - 5.

Tuesday, October 10, 1989

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Settlement of Claim]
Resolution approving settlement of the unlitigated claim of David and Michael Yancey in an amount not to exceed $37,000. (Supervisor Walker presented.) Referred to Finance Committee with request it be considered at the October 11, 1989 meeting.

File 48-89-11

[Social-Economic Impact Report]
Ordinance amending Administrative Code by adding Chapter 31A, requiring the preparation of a social-economic impact report for reclassification of property which would affect one or more blocks in a neighborhood commercial district, reduce the dwelling density or intensity of use, and designation of historic districts or landmark structures. (Supervisor Ward presented.) Referred to Land Use Committee.

File 97-89-48

Requests for Hearings

File 108-89-3, By Supervisor Hongisto: To consider programs that deliver care and treatment for people who are HIV-positive such as, plan to establish five early intervention centers located in the Castro, Bayview-Hunters Point, the Tenderloin, the Mission and the Haight Ashbury-Western Addition areas; plan to meet the needs of residents at San Francisco General Hospital who require pentamidine but may not receive same because of a lack of facilities and to pursue State adoption of a New York-based model for medical reimbursement for people with AIDS or HIV-related medical conditions. Referred to Human Services Committee.

File 207-89-7, By Supervisor Kennedy: To consider the October 6, 1989 protest demonstration by the AIDS Coalition to Unleash Power (ACT UP) group and the Police Department's involvement. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Walker and Gonzalez, that letter be sent to Registrar of Voters commending her for getting the voter handbooks to the electorate prior to date absenteeism ballot is permissible.

By Supervisor Gonzalez, that letter be sent to his Honor, the Mayor, requesting he declare a suitable day as "San Francisco Giants Day" in honor of winning the 1989 National League pennant.

By Supervisor Maher, that City Attorney prepare appropriate legislation amending the rent control ordinance to indicate that any building or buildings on a single lot, one of which is owner occupied, and not to exceed four units, shall be treated as a owner occupied building of four units or less.

By Supervisor Kennedy, that letter of inquiry be sent to Chief of Police transmitting copy of correspondence regarding incident involving traffic citation issued by a police officer at First and Folsom Streets on September 22, 1989.

By Supervisor Britt, that letters be sent, on behalf of the Board, to Dr. J. Michael Bishop and Dr. Harold E. Varmus to congratulate and commend them for winning the Nobel Prize in medicine.

By Supervisor Kennedy, that letter be sent to Director and President, Housing Authority, inquiring whether affirmative action programs were or were not included in letting out contracts in connection with the Pitts Building (formerly Plaza West).

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Public Utilities Commission, concerning lack of accessibility for patrons of public transit to voice concerns regarding missed runs and request that this matter be investigated.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Gerald O'Gara (Supervisors Britt and Hongisto)
Jean Grambs (Supervisor Walker)
Anna Mae Lane (Supervisor Walker)
William E. Merritt, Jr. (Supervisor Ward)
Robert J. Yick, Sr. (Supervisors Hongisto, Hsieh, Britt)

File 2-89-41

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:20 p.m. adjourned.

John L. Taylor, Clerk

Tuesday, October 10, 1989

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 5, 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 42

Monday, October 16, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
MAR 2 8 1990
SAN FRANCISCO
PUBLIC LIBRARY

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 16, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hongisto, Kennedy, Maher, Nelder - 7.

Noted absent at first roll call:

Supervisors Gonzalez, Hsieh, Walker, Ward - 4.

Quorum present.

Supervisor Gonzalez was noted present at 2:07 p.m.

Supervisor Hsieh was noted present at 2:14 p.m.

Supervisor Walker was noted present at 2:07 p.m.

Supervisor Ward was noted present at 2:25 p.m.

Presentation of Guests

Supervisor Gonzalez introduced and welcomed the following visiting dignitaries from the Republic of Mexico: Roberto Madraza Pintado, Luis Morones, Lic. Octavio Garcia Valencia and Agustin Basave Benitez.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Nelder requested that the following measures be severed from the Consent Calendar and considered separately.

Monday, October 16, 1989

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $99,390, Controller - Audits, for permanent salaries-miscellaneous and rescinding $99,390 from permanent salaries-miscellaneous for the creation of four positions, and deletion of four positions, for fiscal year 1989-90. (Controller)

File 101-89-32, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Walker - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hsieh, Ward - 2.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, Controller's Office, reflecting the addition of four positions, and deletion of four positions; companion measure to File 101-89-32. (Civil Service Commission)

File 102-89-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Walker - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hsieh, Ward - 2.

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Public Works Committee

Consideration Continued

[Condominium Transfer Administration]
Ordinance amending Subdivision Code, to transfer responsibility for administering the provisions of the code concerning the resale of units converted to condominiums from the Department of Real Estate to the Mayor's Office of Housing. (Supervisor Kennedy)

File 126-89-4. Ordinance No.

(Amends Sections 1341B and 1343.)

Supervisor Kennedy, seconded by Supervisor Nelder, moved to continue consideration to October 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $316,000, Assessor's Office, for data processing for fiscal year 1989-90. (Supervisor Walker)

File 101-89-28. Ordinance No. 362-89

Finally passed.

[Government Funding]
Ordinance appropriating $71,893, Sheriff, for permanent salaries and related mandatory fringe benefits, overtime and uniforms, for the creation of two positions. (Controller)

File 101-89-29. Ordinance No. 363-89

Finally passed.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, Sheriff's Department, reflecting the addition of two positions; companion measure to File 101-89-29. (Civil Service Commission)

File 102-89-11. Ordinance No. 364-89

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Fina Vaiasicca against the City and County by payment of $6,000. (City Attorney)

File 45-89-37, Ordinance No. 365-89

(Superior Court No. 859-644.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Dennis Bishop against the City and County by payment of $16,000. (City Attorney)

File 45-89-38, Ordinance No. 366-89

(United States District Court No. C88-0494)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Rita Williams against the City and County by payment of $20,000. (City Attorney)

File 45-89-39, Ordinance No. 367-89

(Superior Court No. 841-615)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of James O'Shea vs. Loren Douss, et al., upon receipt of the sum of $7,500 and authorizing dismissal of complaint. (City Attorney)

File 46-89 15, Ordinance No. 368-89

(Superior Court No. 891-652)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Carlos Hernandez vs. Homer J. Olsen, Inc., upon receipt of the sum of $2,000 and authorizing the execution of all necessary documents. (City Attorney)

File 46-89-16, Ordinance No. 369-89

Finally passed.

Adopted

[Contracting Out]
Resolution concurring with the Controller's certification that uniformed security services can be practically performed for the Public Utilities Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Utilities Commission)

File 25-89-25, Resolution No. 769-89

Adopted.

[Contracting Out]
Resolution concurring with the Controller's certification that employment and vocational services for the Independent Living Skills Project can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-89-26, Resolution No. 768-89

Adopted.

[Contracting Out]
Resolution concurring with the Controller's certification that coordination and mentor services for the Independent Living Skills Project can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-89-27, Resolution No. 767-89

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Ernest D. Sprague by payment of $6,000. (City Attorney)

File 48-89-9, Resolution No. 789-89

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Mr. and Mrs. Melvin Tidyman by payment of $6,000. (City Attorney)

File 48-89-10, Resolution No. 770-89

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of David and Michael Yancey in an amount not to exceed $37,000. (Supervisor Walker)

File 48-89-11, Resolution No. 766-89

Adopted.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Lease Renewal]
Ordinance authorizing negotiated month-to-month lease renewal with All Auto Dismantler's, Inc., of vacant commercial land identified as portion of Assessor's Block 5227, Lot 1, commonly known as 398 Quint Street for purposes of storage, parking and dismantling of automobiles and trucks. (Real Estate Department)

File 65-89-6, Ordinance No.

Passed for second reading.

Adopted

[Lease of Real Property]
Resolution authorizing lease of real property at 1155 Market Street, third floor, for the Workers' Compensation Division of the Employees' Retirement System and the Health Service System for office and computer space. (Real Estate Department)

File 64-89-32, Resolution No. 765-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Kennedy, Maher, Nelder - 7.

Absent: Supervisors Gonzalez, Hsieh, Walker, Ward - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $12,000, Police Department, for program project budget (enforcement) to fund one year license for storage space at the Hunters Point Naval Shipyard to house confiscated vehicles seized from drug traffickers. (Controller)

File 101-89-22, Ordinance No. 370-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

[Government Funding]
Ordinance appropriating $124,053, Public Library, for permanent salaries, temporary salaries and related mandatory fringe benefits, telephone, printing and other contractual services, for the creation of three positions, for fiscal year 1989-90; and providing for ratification of action previously taken. (Controller)

File 101-89-30, Ordinance No. 371-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, Public Library, reflecting the addition of three positions; companion measure to File 101-89-30. (Civil Service Commission)

File 102-89-9, Ordinance No. 372-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

[Government Funding]
Ordinance appropriating $131,020, Tax Collector, for permanent and temporary salaries and related mandatory fringe benefits, data/word processing equipment maintenance, telephone, office supplies, minor furnishings, data processing equipment, services of other departments - Public Works - General Office; Controller - data processing; and City mail services, for the creation of two positions. (Supervisor Walker)

File 101-89-36, Ordinance No. 373-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Walker - 7.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90 reflecting the addition of two positions in the Office of the Treasurer/Tax Collector; companion measure to File 101-89-36. (Supervisor Walker)

File 102-89-14, Ordinance No. 374-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Walker - 7.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

Recommendation of Public Works Committee

Consideration Continued

[Condominium Conversion Limitation]
Ordinance amending Subdivision Code, to modify the definition of conversion, to provide that the conversion of two-unit buildings is exempt from the code where the building is owner-occupied for one year prior to application for conversion, to extend the 200 unit annual limit on condominium conversions for four years, to clarify the definition of continuous ownership, and to exempt the conversion of stock cooperatives from the 200 unit annual limitation where 75 percent of the units have been continuously occupied by owners of record for three years prior to application for conversion. (Supervisors Kennedy, Hsieh)

File 126-89-3, Ordinance No.

(Amends Sections 1308, 1359, 1396.)

Supervisor Kennedy, seconded by the Supervisor Maher, moved to continue consideration to October 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

Recommendation of Human Services Committee

Finally Passed

[Use of City Resources to Enforce Immigration Laws]
Ordinance amending the Administrative Code, affirming San Francisco's status as a City and County of Refuge, and prohibiting use of City and County resources to assist in enforcement of federal immigration laws. (Supervisors Walker, Gonzalez, Alioto, Britt)

File 97 89-42, Ordinance No.

(Adds Chapter 12H.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

From Public Utilities Commission

Consideration Continued

[Delinquent Transit Impact Fee]
Resolution confirming report of delinquent payment of fees submitted by the General Manager of the Public Utilities Commission for collection of the Transit Impact Development Fee (TIDF) pursuant to the provisions of Section 38.11 of the Administrative Code, and creating special assessments and liens based thereon.

File 159-89-1, Resolution No.

(Property	Net Amount Due
340 Townsend Street	$ 228,777.20.)

Supervisor Hallinan, seconded by Supervisor Nelder, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $34,276, Sheriff, for permanent salaries and related mandatory fringe benefits, and uniforms, for the creation of one position, for fiscal year 1989-90. (Finance Committee)

File 101 89-29.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Public Employment]
Ordinance amending Ordinance No. 273-89, Annual Salary Ordinance, 1989-90, Sheriff's Department, reflecting the addition of one position; companion measure to File 101-89-29.1. (Finance Committee)

File 102-89-11.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Government Funding]
Ordinance appropriating $11,366,423, Public Library for various capital improvement projects (1988 Public Library Facilities System Improvement Bonds), for the creation of one position; placing in reserve $3,692,062 as recommended by the Mayor's Office, for fiscal year 1989-90; and placing an additional reserve of $248,215. (Controller)

File 101-89-34, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, Public Library, reflecting the addition of one position; companion measure to File 101-89-34. (Civil Service Commission)

File 102-89-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Municipal Railway Graffiti Fund]
Ordinance amending Administrative Code, relating to the establishment and administration of a Municipal Railway Graffiti Fund. (Public Utilities Commission)

File 97-89-41, Ordinance No.

(Adds Section 10.114-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Medical Liens]
Ordinance amending Article 3 of the Health Code, to delete provisions relating to medical liens for services before 1966. (Supervisor Kennedy)

File 118-89-3, Ordinance No.

(Amends Section 124.4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

Adopted

[Acquisition of Property]
Resolution authorizing acquisition of City and County Assessor's Parcel Block 700, Lot 22 (Japanese Peace Plaza). (Real Estate Department)

File 84-89-4, Resolution No. 771-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Lawsuit]
Resolution authorizing Tax Collector Attorney to institute legal proceedings for the recovery of value of services rendered at hospital facilities operated by the Department of Public Health. (Treasurer)

File 172 89-6, Resolution No. 772-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Ward - 1.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the Advisory Council to the Commission on the Aging. (Rules Committee)

File 92-89-2, Resolution No. 773-89

(Harold B. Brooks, Jr., vice Elsie Suttle, term expired, for two-year term ending March 31, 1991.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointments]
Resolution appointing members to the Hazardous Waste Management Plan Advisory Committee, for indefinite terms. (Rules Committee)

File 92-89-37, Resolution No. 774-89

(Keith Beury, Environmental Engineer, vice Eugene M. Herson, resigned;
Don Bertone, Community Member;
Samuel A. Murray, Community Member.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the Hazardous Waste Management Plan Advisory Committee. (Rules Committee)

File 92-89 37.1, Resolution No. 775-89

(Neil Gendel, Environmental Organization, Sierra Club, vice Don Holsten, resigned, for an indefinite term.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointments]
Resolution appointing members to the Drug Abuse Advisory Board, terms expiring October 1, 1989, for three-year terms ending October 1, 1992. (Rules Committee)

File 92-89-40.1, Resolution No. 776-89

(Chester Stern, public member, vice himself;
Elizabeth Wilson, public member, vice herself;
Jess Centeno, public member, vice himself;
Mary Robinson, public member, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Monday, October 16, 1989

Recommendations of Governmental Operations Committee

Consideration Continued

[Permit]
Resolution granting revocable permission to Kaiser Foundation Hospital to install one 36" underground conduit for a microwave communication system under St. Joseph's Avenue, south of Geary Boulevard, connecting Assessor's Block 1095, Lot 5 and Block 1098, Lot 50 and to install one underground PG&E vault under the west side of St. Joseph's Avenue fronting Assessor's Block 1095, Lot 5; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-89-10, Resolution No.

Supervisor Nelder, seconded by Supervisor Hsieh, moved to continue consideration to October 23, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted

[Permit]
Resolution granting revocable permission to Barnes Construction Company to temporarily close the east sidewalk and to occupy a portion of Spring Street during the construction operations at 550 California Street (Block 240, Lot 20). (Department of Public Works)

File 10-89-11, Resolution No. 777-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[County Health Services Plan and Budget]
Resolution authorizing adoption of the County Health Services Plan and Budget for the 1989-90 Fiscal Year, application for allocation of $60,971,817 in funds from the County Health Services Fund of the State and execution of the agreement with the State Director of Health Services; and to accept and expend funds allocated from the County Health Services Fund for the County Health Services Plan and Budget of the City and County. (Department of Public Health)

File 146-89-55, Resolution No. 778-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]
Hearing of all persons interested in or objecting to the finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter of the City and County and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to Wright Marketing Inc., dba National Home Care Systems.

File 107-89-12

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to October 23, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

From the Department of Social Services

Consideration Continued

[In-Home Support Service Contract]
Resolution finding that the General Manager of the Department of Social Services of the City and County has complied with the requirements of the Administrative Code and the Charter of the City and County and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract. (Department of Social Services)

File 107-89-12. Resolution No.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to October 23, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

COMMITTEE REPORTS

Recommendation of Oversight Committee

Adopted

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1988-89 Civil Grand Jury to the Presiding Judge of the Superior Court who empaneled that Civil Grand Jury. (Supervisor Hongisto)

File 39-89-4

Supervisor Hongisto presented as recommendation of Oversight Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

John O'Brien.

Recess

At the request of President Britt, the Board recessed at the hour of 3:37 p.m. to convene in closed session pursuant to Government Code Section 54956.9(a) to meet with the City Attorney concerning litigation of Associated General Contractors v. City of San Francisco which relates to the City's Women Business Enterprise/Minority Business Enterprise legislation.

Reconvening of the Board

The Board, at the hour of 3:57 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 8.

Noted absent:

Supervisors Hongisto, Nelder, Walker - 3.

Quorum present.

Supervisor Hongisto was noted present at 4:40 p.m.

Supervisor Nelder was noted present at 3:59 p.m.

Supervisor Walker was noted present at 3:59 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney concerning pending litigation as provided in the Government Code.

IMMEDIATE ADOPTION CALENDAR

Severed from Immediate Adoption Calendar

Supervisor Walker requested that the following measure be severed from the Consent Calendar and considered separately.

Adopted as Amended

[Street Closing]
Resolution authorizing temporary closing of a portion of Sansome Street, between Bush and California Streets, and Pine Street, between Battery and Montgomery Streets, on Sunday, October 22, 1989, from ((8:00 a.m. to 1:00 p.m.))noon to 7:00 p.m., for motion picture filming. (Supervisor Walker)

File 42-89-37, Resolution No. 764-89

Supervisor Walker, seconded by Supervisor Alioto, moved to amend line 21 by deleting "8:00 a.m. to 1:00 p.m." and inserting "noon to 7:00 p.m."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Walker - 6.

Absent: Supervisors Gonzalez, Hongisto, Maher, Nelder, Ward - 5.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker - 7.

Absent: Supervisors Hongisto, Maher, Nelder, Ward - 4.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-42, Resolution No. 762-89

(Doris M. Ward, member, Board of Supervisors, October 20-November 7; Libby Denebeim, member, Board of Education, November 7-12; Sharon D. Duvall, member, Airports Commission, October 8-30; Thomas J. Elzey, General Manager, Public Utilities Commission, October 5-8 and 11; Myra F. Kopf, member, Board of Education, November 6-12; Philip Lee, member Commission on the Aging, October 2-16; Julia Lopez, General Manager, Social Services, October 19-22; JoAnne Miller, member, Board of Education, November 6-12; Louise H. Renne, City Attorney, October 11-15; Donald R. Stephens, member Airports Commission, October 24-26 and October 30-November 2, 1989.)

Adopted.

[Gifts Acceptance - Project Star]
Resolution authorizing the Mayor to accept and expend on behalf of the City and County private donations for the purpose of funding the activities of Project Star. (Supervisor Alioto)

File 38-89-18, Resolution No. 763-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker - 7.

Absent: Supervisors Hongisto, Maher, Nelder, Ward - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Contracts, Competitive Bidding over $50,000]
Ordinance amending Administrative Code by amending Section 6.1 to

provide that contracts in excess of $50,000 (rather than $15,000) be awarded to the lowest, reliable and responsible bidder. (Supervisor Kennedy presented.) Referred to Governmental Operations Committee with request it be considered at the October 23, 1989 meeting.

File 97-89-45.1

[Possessory Interest - Delancey]
Ordinance finding that certain possessory interests of Delancey Street Foundation are sufficient security for the payment of possessory interest taxes and ordering that said possessory interest assessments be placed on the secured roll. (Supervisor Maher presented.) Referred to Finance Committee.

File 269-89-1

[Telephone Pioneer Month]
Draft resolution supporting November 1 - 30, 1989, as Telephone Pioneer Month. (Supervisor Maher presented.) Referred to Governmental Operations Committee.

File 4-89-22

[Public Employees' Retirement System]
Resolution implementing the "pick-up" of employee contributions to the Public Employees' Retirement System as authorized by Section 414(h)(2) of the Internal Revenue Code. (Supervisor Britt presented.) Referred to Governmental Operations Committee.

File 154-89-2

Requests for Hearings

File 18-89-19, By Supervisor Hallinan: To consider installing four-way Stop signs at 30th Avenue and Balboa Street and at 32nd Avenue and Balboa Street. Referred to Public Works Committee.

File 26-89-1, By Supervisor Kennedy: To consider street-sweeping procedure for Upper Terrace/Clifford Park area as well as the Olympia Park area. Referred to Public Works Committee.

File 108-89-4, By Supervisor Nelder: To consider creating a seven-member Commission on AIDS. Referred to Human Services Committee.

File 193-89-11, By Supervisor Nelder: To consider recent deaths of four animals at the San Francisco Zoo. Referred to Public Works Committee.

File 197-89-4, By Supervisor Nelder: To consider how to attract retail clothing business to San Francisco. Referred to Economic Development Committee.

File 197-89-5, By Supervisor Nelder: To consider how to attract retail food business to San Francisco. Referred to Economic Development Committee.

File 197-89-6, By Supervisor Nelder: To consider how to attract publishing business to San Francisco. Referred to Economic Development Committee.

File 197-89-7, By Supervisor Nelder: To consider the development of a tax-free zone for businesses coming to San Francisco temporarily. Referred to Economic Development Committee.

File 219-89-6, Hearing to consider possibility of creating a traffic by-pass at the intersection of Holloway and 19th Avenues (similar to the by-pass at Geary Boulevard and Masonic Avenue). (Supervisor Nelder presented.) Referred to Public Works Committee.

Announcement

President Britt announced he has received a request from Twentieth Century Fox Film Corporation for permission to film a major motion picture in the Legislative Chamber, and that under Board of Supervisors Rule 5.2, the President of the Board cannot authorize use of the Chamber for commercial filming but the Board can suspend the rules and permit such use on a case by case basis.

President Britt further stated this is a questionable use for the Board to approve; the sponsor wishes to make substantial temporary changes in the room such as, move desks, change lighting, remove speaker system; they have agreed to restore the room to its present condition and to protect the room; once this request is permitted, it will become an issue that comes up more than once; if we say yes, we are setting a precedent.

President Britt recognized Supervisor Alioto for the purpose of introducing the following motion.

Adopted as Amended

Motion suspending Rule 5.2 of the Rules of Order and authorizing Twentieth Century Fox Film Corporation to film a motion picture in the Legislative Chamber subject to conditions specified by the Chief Administrative Officer, the City Attorney and the President of the Board of Supervisors.

File 178-89-2.

Supervisor Alioto presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Maher, moved to amend by adding the following clause: "MOVED, That the President and Clerk of the Board of Supervisors prepare and submit for consideration by the full Board guidelines for future use of the Legislative Chamber for film purposes".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward 11.

After a period of discussion, Supervisor Maher, seconded by Supervisors Kennedy and Hsieh, moved the previous question.

The Clerk then stated "Shall the previous question be now put?

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisors Hongisto, Nelder - 2.

The roll was then called on the pending motion and it was adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Walker, Ward - 7.

Noes: Supervisors Britt, Hsieh - 2.

Absent: Supervisors Maher, Nelder - 2.

Request Granted

At the request of Supervisor Walker, the Clerk of the Board was directed to consult with the City Attorney in drafting contract to incorporate the various concerns expressed by the Board.

The President requested that members who have particular concerns regarding use of the Chamber to submit them in writing to him.

No objection and Clerk directed to comply.

Closed Session Rescheduled

President Britt stated that last week the Board invited the Chief of Police to a closed session on October 23, 1989 to determine whether significant exposure to litigation exists as a result of police involvement in the Castro District demonstration on October 6, 1989. Supervisor Gonzalez will be out of the country on leave October 15 through October 25, 1989 and suggested it might be appropriate to change the date of the closed session until October 30, 1989.

Supervisor Maher, seconded by Supervisor Walker, moved to change the date of the closed session to October 30, 1989.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Hongisto - 1.

On inquiry by Supervisor Ward, Supervisor Alioto announced the Human Services Committee will hold a special meeting on October 26, 1989 to take public testimony concerning the October 6, 1989 incident (File 207-89-7).

Referred to Board

Motion authorizing and scheduling a meeting of the Board of Supervisors sitting as a Committee of the Whole to hear testimony concerning police responses to protest demonstrations and similar incidents.

File 207-89-8.

Supervisor Walker presented.

Supervisor Walker, seconded by Supervisor Ward, moved to continue consideration to October 23, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Walker, Ward - 7.

Noes: Supervisors Britt, Hsieh - 2.

Absent: Supervisors Maher, Nelder - 2.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Walker, that City Attorney prepare appropriate legislation concerning permanent Bernal Heights building controls such as height limits, lot coverage/open space requirements, mass reduction requirement, off street parking, neighborhood review boards, neighborhood character, infrastructure in place, construction impacts, demolition controls and reclassification in RH1 and RH2 districts.

By Supervisor Walker, that letters be sent to Sheriff and Director of Health inquiring what mental health and substance programs inmates are required to participate in while incarcerated.

By Supervisor Ward, that letter of inquiry be sent to Director of Public Works to determine the status of proposal for street design if the Navy accepts the City's offer to open the shipyard gate at the end of Innes Street.

By Supervisor Gonzalez, that letter be sent to Director of Public Works inquiring whether the Department can investigate the request for additional parking permits for the staff of McKinley Elementary School.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Health concerning garbage liens to determine who, when and how tenants and/or owners are notified when they are delinquent in paying their garbage bill prior to instigating lien procedures.

By Supervisor Kennedy, that letter be sent to City Planning Commission inquiring whether appropriate notices have been sent concerning proposal to house twenty "problem" youths at 899 Guerrero Street.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Public Utilities Commission, concerning the extension of the J-Church streetcar line and its effect on the parking situation in and around 30th Street, between Chenery Street and San Jose Avenue, to determine whether consideration has been given to eliminating one traffic lane instead of the parking lanes on each side of San Jose Avenue, between 30th and Randall Streets.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works to determine whether investigation can be made concerning alleged illegal improvements to property at 1683 - 34th Avenue which added a kitchen to the room downstairs.

By Supervisor Kennedy, that letter be sent to City Planning Commission concerning proposed subdivision and rezoning of Block 3005, lots 1-15, Cresta Vista Drive, Mount Davidson and transmitting copies of correspondence received from concerned neighbors and inquiring whether their concerns have been addressed and whether they have been advised what recourse they can take concerning City Planning Commission's decision.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Public Utilities Commission, to determine whether consideration has been given to reinstate the route of the 19 Polk bus line or to initiate the 42 bus line at an earlier time in order that San Francisco residents working in the wharf location can obtain public transportation between the hours of 5:00 and 6:30 a.m.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine whether there is a maintenance schedule for keeping McLaren Park free of old refrigerators, garbage, etc and whether people are cited for parking cars off the road in trees creating hazardous problems for the public.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Planning concerning enforcement of sign legislation to determine whether investigation of alleged illegal hanging of signs by Skyline Realty on apartment buildings throughout the City has been done.

By Supervisor Kennedy, that City Attorney advise whether appropriate legislation could be prepared which would request manufacturers, distributors and merchants that they voluntarily ban the sale of

cheap high alcohol wines, initiate a needs assessment to determine the effect of these potent wines on a community, increase the number of drug and alcohol recovery programs and form an advisory group of interested public officials, service providers and concerned community members to monitor the issues surrounding street drinking and high alcohol cheap wines.

By Supervisor Nelder, that City Attorney issue legal opinion on proposed legislation to amend the Administrative Code to increase from $50,000 to $10 million the threshold level for contracts to determine if the proposed legislation represents a change in the Charter and if it does, does Section 3A of Article XI of the California Constitution require that changes in the Charter be approved by City voters; if it alters the "lowest" responsible bidder process"; if it complies with prevailing wage and construction bonding requirements and who authored the legislative digest summary and on what data the author based the conclusion that the United States Court of Appeals for the Ninth Circuit does not understand the City Charter of the City and County.

By Supervisor Nelder, that City Attorney prepare appropriate legislation which would create seven-member Commission on AIDS with members to be appointed by the Mayor with the mandate to pursue private and public funding for AIDS programs and therapy; to promote sensitivity to programs specific to people with AIDS and their families; to seek and prepare educational avenues to inform the public on the magnitude of the AIDS epidemic and also how to avoid infection; to attend and testify at state and federal AIDS hearings with the goal of pursuing legislation necessary to promote accessibility of funds from appropriate governmental agencies to increase awareness, funding, treatment and care facilities for people with AIDS; and to ensure free access to all medicines and treatments (including AZT and any similar substance however, expensive) for all people with AIDS who desire them. The Commission to include one salaried, full-time director and one salaried, full time secretary.

By Supervisor Nelder, that Budget Analyst prepare report advising on the cost of creating the seven-member Commission on AIDS.

By Supervisor Nelder, that Budget Analyst prepare report to determine how much money the City spends on all programs and services provided to people with AIDS; the source of these funds; what types of programs and services the City provides compared to those provided in other U.S. cities; and what programs and services, such as, a mobile early intervention unit, intervention clinic or other services may be provided by other communities and the potential cost to establish same services in this City.

By Supervisor Nelder, that letter be sent to General Manager, Recreation and Park Department, inquiring whether complete medical records, including, but not limited to, clinical histories, pathology reports, histopathology reports, staff comments and reports, examinations, diagnosis, treatment, tests and subsequent findings on four deceased female animals (one mandrill and two lemurs and one tapir) provided to the Board for its hearing.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Stanley Roualdes (Supervisor Walker)

File 2-89 42

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:51 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 20, 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 43

Monday, October 23, 1989

Journal of Proceeding Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
JUN 4 1990
SAN FRANCISCO
PUBLIC LIBRARY

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 23, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy - 6.

Noted absent at first roll call:

Supervisors Hongisto, Maher, Nelder, Walker, Ward - 5.

Quorum present.

Supervisor Hongisto was noted present at 2:16 p.m.

Supervisor Maher was noted present at 2:04 p.m.

Supervisor Nelder was noted present at 2:05 p.m.

Supervisor Walker was noted present at 2:08 p.m.

Supervisor Ward excused, on official leave of absence.

Supervisor Gonzalez introduced and welcomed a special delegation from the City of Mexico, who are here to observe and hear the Mayor's report concerning the October 17, 1989 earthquake as follows:

Ruiz Fernandez, Daniel
Deputy Mayor of Public Works
Mexico City, City Hall

De Pablo, Francisco
General Director of Public Works
Mexico City, City Hall

Zubieta Rogerio
Technical Coordinator of the
Deputy Mayor Office

Enriquez, Juan
General Director of Metropolitan Services

Rosenbluth, Emilio Dr.
Professor Emeritus of the Engineering Institute
of the National University of Mexico

Meli, Roberto Dr.
Coordinator of the General Direction
of Research for the Prevention of Disasters
Department of the Interior

Del Valle, Enrique
Professor of Engineering in the Post Graduate
Department, University of Mexico

Mendez, Armando
General Director of the National System of
Civil Protection, Department of the Interior.

Pomar, Salvador
General Director of the Center of Prevention
of Disasters

Perez, Mario
Coordinator of Special Programs
Mexico City, City Hall.

REPORT RECEIVED

At the hour of 2:43 p.m. the Mayor addressed the Board and presented the following report concerning the October 17, 1989 earthquake:

"Mister President, Members of this Honorable Board and fellow San Franciscans.

For the second time in this century, an earthquake has shaken us to the bedrock of our city.

And for the second time in this century, the world has seen that our city is built on the strongest bedrock of all -- our sense of community and family.

Let there be no mistake.

Nature may have knocked our feet out from under us for a few days, but our heads and our hearts stayed in the right place through it all.

I have never been prouder of being a San Franciscan than I have been this week.

Today, before I deliver this report, I would like to ask for a minute of silent reflection for our neighbors and family who came to harm and the 13 who lost their lives.

While the vast majority of our city and our city services are operating at full capacity and efficiency, there remain a large number of San Franciscans who face a months long effort of recovery.

It is to them that we must first speak.

The greatest destruction took place South of Market and in the Marina.

Citywide, about 250 buildings have now been declared unsafe. Some will have to be demolished, but it will be our policy to work with owners to do all that we can to shore up and repair existing buildings.

More than half of the unsafe buildings are residential.

In the South of Market, over 1,000 units of housing have been declared unsafe.

This includes the Anglo Hotel, a residence for 200 people, the Camelot Hotel, and smaller, affordable apartments in the area.

Many of these residents found shelter first at the Moscone Center emergency facility, and now are being assisted with the help of the U.S. Army at the Presidio and the U.S. Navy aboard the USS Pelelliu.

Now we must work to recover housing for both a transitional period and for the long-term that retains affordability as well as the capacity of our city's social service housing support program.

While working as hard as we know how to assist those made homeless in this quake, we will not forget our compassion and commitment for those who were homeless in our city before Tuesday.

Some 35 buildings in the Marina also have been declared unsafe, and the vast majority are multi-family residences.

As with other San Franciscans, these victims will need emergency federal and state assistance for their recovery.

Since the earthquake, we have inspected over 4,000 privately-owned buildings and 500 public buildings.

Between 750 to 1,000 of these buildings will need extensive repairs.

Nearly all of them could use some repairs.

The most extensive repairs currently anticipated for city-owned property includes $61 million at the Port, where Pier 45 was seriously damaged and other damage occurred including to the administrative building for the shipyard and to the Agricultural Building.

However, the Port is still able to service ships which call, and is doing so, for three ships this week.

The Asian Art Museum and the Fine Arts Museums have sustained at least $20 million in losses to their collections, and many of the pieces are irreplaceable even though insurance exists to cover much of it.

The Health Department estimates earthquake costs at $17 million in emergency costs and damages.

The Airport reports an estimated $7 million in damages, including to the Control Tower.

They also report that two babies were born at the airport in the immediate aftermath of the quake.

The Main Public Library's North Wing may have to be permanently closed and four branch libraries are damaged.

The Department of Public Works estimates that damage to sewers, streets, sidewalks and signals are $84 million.

Of necessity, many departments have been unable to provide exact information on damages and costs.

Their first priority, in all cases, has been to deliver services to those in need.

Every Department has been outstanding, with bus drivers commuting as much as six hours to get to their jobs to keep public transportation working in our city, social workers providing counseling at shelters while coping with the emergencies in their own homes and families, literally hundreds of off-duty firefighters on the job within two hours of the quake, standing their ground in the teeth of one of the most dangerous fires in our city's history, the police department put every available officer on duty, including cadets and even a retired officer who reported for duty, paramedics and health workers going into action and staying on the job for days with little sleep, and so many more.

According to our best current estimates, the additional costs for all staffing during the first days of the emergency total between $13 and $15 million.

As the Board is aware, our city's emergency reserve totals $5.9 million.

It is our expectation that we will receive federal and state assistance for these costs and my budget staff and the Controller is working to document and submit these costs on an immediate basis.

We also are still holding to the estimate that overall costs of the earthquake will be in excess of $2.2 billion.

Private sector costs could be between $1.5 billion and $2.5 billion, and public sector costs could be $750 million.

I have met with the Governor, who has personally pledged state support for our full recovery efforts.

I am very pleased with his understanding of our needs, and his willingness to deliver fast state action.

I also have met with the President and given him a briefing on San Francisco's excellent response to the immediate emergency and our requirements from the federal government for recovery assistance.

I am very pleased that the President made an on-the-spot judgment to name Transportation Secretary Sam Skinner as a "disaster czar" to coordinate the various federal assistance programs that residents, businesses, and our city will require.

President Bush's Secretary for Health and Human Services, Dr. Louis Sullivan, also has been here and met with Julia Lopez, our General Manager for Social Services, and David Werdegar, our Health Director.

Dr. Sullivan has promised to work closely with them on key assistance programs.

In the first 24 hours, I received personal assurances of help from Jack Kemp, Secretary of Housing and Urban Development.

Yesterday, (FEMA) Federal Emergency Management Agency opened its first office in the Presidio, and our city departments are there working alongside them to provide comprehensive services to people beginning the recovery process.

Last Tuesday, at 5:04 p.m, we were all lucky.

As serious as this earthquake is -- and knowing that even now we do not have firm answers because aftershocks continue to alter the landscape -- we had some advantages.

The earthquake happened in the daytime.

The second lucky break was that it was a windless day, and so we were spared the flames that could easily have whipped across alleys and streets to take block after block.

The third advantage was that this quake did not sever our vital city services.

Police stations and fire stations, hospitals and most transportation stayed in working order and were never in danger.

We made the maximum use of this good luck with a full strength, effective emergency disaster effort that spared our city greater harm.

But now, as we begin this second week, the advantages we need will not come as a gift from nature.

The advantages we need for this recovery period must come from our common human nature.

Monday, October 23, 1989

This first week, the people of this city showed grace and courage, compassion and self-sacrifice.

You gave it without thought of reward, but as Mayor, I can tell you that you have won the admiration of the world.

I have received messages from leaders in every part of the world, from China to Greece, Cuba to Canada, from world leaders to simple citizens who have visited our city and loved it.

You have made us a shining city, with the best that can be found in any people anywhere.

You were exceptional in every regard, a city where neighbors helped strangers.

In San Francisco, there was no looting in the days after the quake and crime of all types declined drastically.

Having stretched ourselves so far, we cannot now contract and shrink.

We need to reach with a special kindness to those whose recovery will take time, and we need to be impartial and generous in understanding there can never be a distinction between victims who have suffered.

Most of all, we cannot allow ourselves to be divided, but must keep seeing our common interests.

Self-interest from landlords or tenants, buyers or sellers of any goods necessary for rebuilding, labor or management, should be regarded as hostile to our public interest.

Our city has made an amazing recovery in such a short period of time.

All but three public transportation lines are open and operating fully.

The Port geared up to assist the influx of ferry passengers this morning, helping 5,000 ferry commuters get to their jobs with a strong coordinated effort involving MUNI and the San Francisco Police Department.

The Police are able to return to normal shifts at most stations.

But the aftershocks in our city will require our vigilance, just as much as the aftershocks to our landscape require our vigilance.

There are unanswered questions about the impact of this quake on our city's revenues as well as on our city's costs.

The tax base in business and homes has been affected, and we cannot be sure yet what the impact on tourism may be.

I am preparing recommendations that will suggest how San Franciscans can assist in our economic recovery by buying and spending in San Francisco.

Many theaters and artists have been affected, and their loss is our loss.

I have joined with the Convention and Visitors Bureau, which has done an excellent job of reaching out to conventions to reassure them that we remain a good host.

This Friday, if we can be sure of the iron clad assurances I have asked and if traffic and other considerations warrant it, we will see a resumption of the World Series.

What the world will see that day, is that this will be the first World Series with no loser. We are all winners in the San Francisco Bay Area.

In three weeks, our city will hold our regularly scheduled election.

There are differences of opinion on some of the issues that will be on that ballot, but today, as Mayor, I hope that there will be no difference of opinion on the importance of each San Franciscan casting a vote.

In this election, whatever the outcome of any Proposition, our City will win if the people come to cast their ballots for a San Francisco that we all have shaped with our vote.

I thank this Board for the exemplary service you have provided during this past week, particularly with the coordination of volunteer efforts that helped save our city and start our recovery.

Today I will ask the Board to approve a resolution establishing The San Francisco Earthquake Recovery Fund.

Donations will be tax deductible, and I would like the Board to know that we already have been offered donations from San Francisco's friends in Japan and China that total more than $1 million.

I want to thank our city attorney, sheriff and other officials who have tirelessly served the city during this emergency.

Our city's state legislature representatives have provided crucial support in seeing that quick assistance makes its way to us.

Our city's congressional delegation has stood at our side and worked to see that the federal government stands by our side.

I have just received word within the hour from Congresswoman Nancy Pelosi that she has been successful in inserting an amendment to the Continuing Budget Resolution that will raise the limit on loans to homeowners from the current maximum of $100,000 to a new level of $500,000.

This will be a crucial achievement if we are to help people rebuild homes in the expensive Bay Area.

Congresswoman Pelosi has also been able to raise the maximum for Small Business Administration loans from $100,000 to $500,000 if Congress approves this measure when they vote tomorrow.

I want to thank all of our city employees, and especially our public safety personnel -- police, fire, health, public works, and the California Conservation Corp members -- who were the backbone of our city's successful emergency response.

To symbolize all of them, I want to single our DPW Director Dick Evans for his heroic efforts from the very beginning.

To all of you, but especially to the people of San Francisco, I want you to know that the spirit and character of our city has never been brighter than it is today - and it is because of each of you.

In the first days of shock, each person had their story to tell of where they were when the earth shook for 15 seconds.

No one will ever forget it.

But now, I believe that years from now, I believe that future San Franciscans will also recall where the people of this city stood in the days and weeks and even months following this earthquake.

And I believe that the story they will hear is how we stood fast for each other, of not just what a quake brought down, but what -- together -- we constructed to make this once again the San Francisco that catches at your heart because it is our home.

Thank you."

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $34,276, Sheriff, for permanent salaries and related mandatory fringe benefits, and uniforms, for the creation of one position, for fiscal year 1989-90. (Finance Committee)

File 101-89-29.1, Ordinance No. 380-89

Finally passed.

[Public Employment]
Ordinance amending Ordinance No. 273-89, Annual Salary Ordinance, 1989-90, Sheriff's Department, reflecting the addition of one position; companion measure to File 101-89-29.1. (Finance Committee)

File 102-89-11.1, Ordinance No. 384-89

Finally passed.

[Government Funding]
Ordinance appropriating $11,366,423, Public Library for various capital improvement projects (1988 Public Library Facilities System Improvement Bonds), for the creation of one position; placing in reserve $3,692,062 as recommended by the Mayor's Office, for fiscal year 1989-90; and placing an additional reserve of $248,215. (Controller)

File 101-89-34, Ordinance No. 382-89

Finally passed.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, Public Library reflecting the addition of one position; companion measure to File 101-89-34. (Civil Service Commission)

File 102-89-10, Ordinance No. 383-89

Finally passed.

[Municipal Railway Graffiti Fund]
Ordinance amending the Administrative Code, relating to the establishment and administration of a Municipal Railway Graffiti Fund. (Public Utilities Commission)

File 97-89-41, Ordinance No. 379-89

(Adds Section 10.114-2.)

Finally passed.

[Medical Liens]
Ordinance amending Article 3 of the Health Code, to delete provisions relating to medical liens for services before 1966. (Supervisor Kennedy)

File 118-89-3, Ordinance No. 386-89

(Amends Section 124.4.)

Finally passed.

<u>Recommendations of Governmental Operations Committee</u>

Monday, October 23, 1989

Finally Passed

[Lease Renewal]
Ordinance authorizing negotiated month to-month lease renewal with All Auto Dismantler's, Inc., of vacant commercial land identified as portion of Assessor's Block 5227, Lot 1, commonly known as 398 Quint Street for purposes of storage, parking and dismantling of automobiles and trucks. (Real Estate Department)

File 65-89-6, Ordinance No. 378-89

Finally passed.

Adopted

[Contract]
Resolution authorizing the execution of an agreement between the City and County of San Francisco and the State of California Department of Social Services for the purpose of assuring the availability of reimbursement to the City and County by the Secretary of Health and Human Services for the interim assistance paid to SSI/SSP applicants. (Department of Social Services)

File 107-89-11, Resolution No. 791-89

Adopted.

[Grant - State Funds]
Resolution authorizing the City Librarian to apply for, accept and expend Library Services and Construction Act Funds in an amount not to exceed $30,000 to support cataloging 2,250 popular music titles in machine-readable form. (Public Library Commission)

File 147-89-4, Resolution No. 797-89

Adopted.

[University of California Regents Center on Deafness]
Resolution approving a waiver from the State's Schedule of Maximum Allowances for the U.C. Center on Deafness. (Department of Public Health)

File 186-89-23, Resolution No. 798-89

Adopted.

[Agreement]
Resolution designating 72-Hour Evaluation and 14-Day Intensive Treatment Facilities, pursuant to the Welfare and Institutions Code 5150 and 5250 et seq., and specifying the responsibilities of such facilities as specified by San Francisco Community Mental Health Services. (Department of Public Health)

File 186 89 24, Resolution No. 799-89

(Pacific Medical Center;
Mt. Zion Hospital and Medical Center;
Mt. Zion Crisis Services;
San Francisco General Hospital;
St. Mary's Hospital and Medical Center;
St. Francis Memorial Hospital;
Langley Porter Psychiatric Institute;
St. Luke's Hospital;
Seton Medical Center.)

Adopted.

Recommendations of Public Works Committee

Adopted

[Taxicab Zone]
Resolution establishing a taxicab zone on Eighth Street.
(Department of Public Works)

File 15-89-5, Resolution No. 784-89

(Taxicab Zone - Establish
8th Street, west side, from 127 to 145 feet south of Stevenson Street (18 foot zone).)

Adopted.

[Parking Regulations]
Resolution enacting parking regulation on Willow Street.
(Department of Public Works)

File 19-89-11, Resolution No. 785-89

(Parking Meter Area #3 - Extend
Willow Street, south side, between Van Ness Avenue and Polk Street.)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations on various streets.
(Department of Public Works)

File 20-89-11, Resolution No. 786-89

(No U-Turn - Establish
Bayshore Boulevard, northbound, at the southbound left turn pocket 180 feet south of Oakdale Avenue.

Bayshore Boulevard, southbound, 295 feet south of Oakdale Avenue.

Left Lane Must Turn Left
3rd Street, northbound, at Evans Avenue.

Tow Away No Parking Anytime - Establish
Shannon Lane, west side, between Post Street and Geary Boulevard.

Tow Away No Stopping Anytime - Establish
California Street, north side, from Franklin Street to 105 feet west (105 foot zone).

California Street, north side, from Franklin Street to 75 feet east (75 foot zone).

No Left Turn - Establish
Powell Street, southbound, at O'Farrell Street.

Two Left Lanes Must Turn Left - Establish
South Van Ness Avenue, northbound, at Howard Street.

Right Turn Only - Establish
Flower Street, westbound, at Bayshore Boulevard.)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations on various streets.
(Department of Public Works)

File 20-89-12, Resolution No. 787-89

(Tow Away No Stopping Anytime - Establish
Parnassus Avenue, north side, from Shrader Street to 10 feet east (10 foot zone).

Two Right Lanes Must Turn Right - Establish
Cargo Way, westbound, at 3rd Street.)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations on various streets.
(Department of Public Works)

File 20-89-13, Resolution No. 788-89

(Crosswalk Closure - Establish
3rd Street and Fairfax Avenue, north crosswalk, Army Street and Kansas Street, west crosswalk.

No Left Turn - Establish
Columbus Avenue, southbound at Bay Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy - 6.

Absent: Supervisors Hongisto, Maher, Nelder, Walker, Ward 5.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $99,390, Controller - Audits, for permanent salaries-miscellaneous and rescinding $99,390 from permanent salaries-miscellaneous for the creation of four positions, and deletion of four positions, for fiscal year 1989-90. (Controller)

File 101-89-32, Ordinance No. 381-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 7.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hongisto, Walker, Ward - 3.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, Controller's Office, reflecting the addition of four positions, and deletion of four positions; companion measure to File 101-89-32. (Civil Service Commission)

File 102-89-13, Ordinance No. 385-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker - 8.

Noes: Supervisor Nelder 1.

Absent: Supervisors Hongisto, Ward 2.

Recommendations of Governmental Operations Committee

Adopted

[Permit]
Resolution granting revocable permission to Kaiser Foundation Hospital to install one 36" underground conduit for a microwave communication system under St. Joseph's Avenue, south of Geary Boulevard, connecting Assessor's Block 1095, Lot 5 and Block 1098, Lot 50 and to install one underground PG&E vault under the west side of St. Joseph's Avenue fronting Assessor's Block 1095, Lot 5; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-89-10, Resolution No. 783-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Ward - 1.

Consideration Continued

[Film and Video Arts Commission]
Ordinance amending Administrative Code authorizing the Office of the Mayor to enter into use agreements with film and other visual arts companies for use of city property, personnel and facilities and properties and requiring such companies to enter into use agreements, by creating a San Francisco Film and Video Arts Commission, by establishing the duties and authority of the commission, and by replacing the Mayor's Office Film Coordinator with an Executive Director appointed by the commission. (Supervisor Alioto)

File 97-89-40, Ordinance No.

(Amends Chapter 57.)

Supervisor Alioto, seconded by Supervisor Kennedy, moved to continue consideration to October 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Art Commission]
Resolution urging the Mayor to urge the Art Commission to invite the Chair of the Film and Video Arts Commission to attend the meetings of the Art Commission. (Supervisor Alioto)

File 97-89-40.1, Resolution No.

Supervisor Alioto, seconded by Supervisor Walker, moved to continue consideration to October 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

From the Board

Tabled

[Committee of the Whole]
Motion authorizing and scheduling a meeting of the Board of Supervisors sitting as a Committee of the Whole to hear testimony concerning police responses to protest demonstrations and similar incidents. (Supervisor Walker)

File 207-89-8

Supervisor Walker, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Hongisto, Kennedy, Maher, Nelder, Walker - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Ward - 1.

NEW BUSINESS

Recommendations of Human Services Committee

Passed for Second Reading

[Animal Care and Control]
Ordinance amending Health Code by amending the section to require residency for each member of the Commission of Animal Control and Welfare except for the one member of the Commission who is a licensed veterinarian who practices in San Francisco. (Supervisor Maher)

File 118 89-4, Ordinance No.

(Amends Section 41.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted

[Request for State Proposition 52 Funds]
Resolution accepting the Master Siting Plan documents submitted to the Board of Supervisors by the Jail Policy and Planning Advisory Committee (JPPAC) as the long term twenty year Master Siting Plan for San Francisco Adult Detention System, and authorizing their submittal to the State Board of Corrections for approval. (Supervisor Gonzalez)

File 195-89-5, Resolution No. 800-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Consideration Continued

[Parking Amnesty and Boot Implementation Program]
Resolution memorializing the Municipal Court to implement a 30-day Amnesty Program for unpaid parking citations and urging the Mayor to urge the Police Commission or the Parking and Traffic Commission to direct the Police Department or Traffic Enforcement Personnel to implement a Boot Immobilization Program on cars, after the amnesty period expires. (Supervisors Hsieh, Kennedy)

File 241-89-3, Resolution No.

Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Recommendations of Public Works Committee

Adopted

[Building Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the State Building Code for buildings, as required by California Health and Safety Code. (Department of Public Works).

File 114-89-3.1, Resolution No. 792-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder - 9.

Absent: Supervisors Walker, Ward - 2.

Passed for Second Reading

[Building Code]
Ordinance repealing Part II, Chapter I of the San Francisco Municipal Code (Building Code); adopting in its entirety a new San Francisco Building Code. (Department of Public Works).

File 114-89-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder - 9.

Absent: Supervisors Walker, Ward - 2.

Adopted

[Electrical Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the State Electrical Code for buildings, as required by California Health and Safety Code. (Department of Public Works)

File 116-89-1.1, Resolution No. 793-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder - 9.

Absent: Supervisors Walker, Ward - 2.

Monday, October 23, 1989

Passed for Second Reading

[Electrical Code]
Ordinance repealing Part II, Chapter III of the San Francisco Municipal Code (Electrical Code); adopting in its entirety a new San Francisco Electrical Code. (Department of Public Works)

File 116-89-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Kennedy, Ward - 2.

Adopted

[Plumbing Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the State Plumbing Code for buildings, as required by California Health and Safety Code. (Department of Public Works)

File 120-89-1.1, Resolution No. 794-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder - 9.

Absent: Supervisors Walker, Ward - 2.

Passed for Second Reading

[Plumbing Code]
Ordinance repealing Part II, Chapter VII of the San Francisco Municipal Code (Plumbing Code); adopting in its entirety a new San Francisco Plumbing Code. (Department of Public Works)

File 120-89-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder - 9.

Absent: Supervisors Walker, Ward - 2.

Adopted

[Mechanical Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the State Mechanical Code for buildings, as required by California Health and Safety Code. (Department of Public Works)

File 122-89-1.1, Resolution No. 795-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Passed for Second Reading

[Mechanical Code]
Ordinance repealing Part II, Chapter XIV of the San Francisco Municipal Code (Mechanical Code); adopting in its entirety a new San Francisco Mechanical Code. (Department of Public Works)

File 122-89-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted

[Housing Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the State Housing Code for residential buildings, as required by California Health and Safety Code. (Department of Public Works)

File 125-89-2.1, Resolution No. 796-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Passed for Second Reading

[Housing Code]
Ordinance repealing Part II, Chapter XII of the San Francisco Municipal Code (Housing Code); adopting in its entirety a new San Francisco Housing Code. (Department of Public Works)

File 125-89-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted

[Appeal - Sidewalk Encroachment]
Motion approving decision of Director of Public Works granting permit to the Leavenworth Group to remove existing retaining wall and planting area along the Kimball Place side of the building located at 1143-1153 Leavenworth Street to convert the building basement into a four-car garage.

File 24-89-5

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward - 3.

Recommendation from Governmental Operations Committee

Adopted

[Salary and Wage Division]
Resolution authorizing Civil Service Commission to expend funds to conduct the 1990-91 Salary Survey. (Civil Service Commission)

File 106-89-6, Resolution No. 790-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward - 3.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]
Hearing of all persons interested in or objecting to the finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter of the City and County and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to Wright Marketing Inc., dba National Care Systems.

File 107-89-12

Supervisor Walker, seconded by Supervisor Kennedy, moved to continue consideration to October 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

From the Department of Social Services

Consideration Continued

[In-Home Support Service Contract]
Resolution finding that the General Manager of the Department of Social Services of the City and County has complied with the requirements of the Administrative Code and the Charter of the City and County and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract. (Department of Social Services)

File 107-89-12, Resolution No.

Supervisor Walker, seconded by Supervisor Kennedy, moved to continue consideration to October 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Gonzalez, Ward - 2.

COMMITTEE REPORTS

Recommendation of Finance Committee

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of David Dube against the City and County of San Francisco by payment of $7,500. (City Attorney)

File 45-89-40, Ordinance No.

(Superior Court No. 879-702)

Supervisor Walker presented as recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward 3.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Dorothy Moore against the City and County of San Francisco by payment of $85,000. (City Attorney)

File 45-89 41, Ordinance No.

(Superior Court No. 825-524)

Supervisor Walker presented as recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher 8.

Absent: Supervisors Nelder, Walker, Ward 3.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Robert Rovai against the City and County of San Francisco by payment of $12,500. (City Attorney)

File 45-89-42, Ordinance No.

(Superior Court No. 883-107)

Supervisor Walker presented as recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward - 3.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Edward George Fierro against the City and County of San Francisco by payment of $12,500. (City Attorney)

File 45-89-44, Ordinance No.

(U.S. District Court No. C88-1385 SAW)

Supervisor Walker presented as recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward 3.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of William Guedet vs. O'Brien-Kreitzberg & Associates, Inc., et al., upon receipt of the sum of $15,000 and a Compromise and Release of future Workers' Compensation Benefits, and authorizing release of lien. (City Attorney)

File 46-89-14, Ordinance No.

(Superior Court No. 838-989)

Supervisor Walker presented as recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward - 3.

[Government Funding]
Ordinance appropriating $391,054, Public Health - CPHS - Health Centers, for permanent salaries - miscellaneous, permanent salaries - nurses, and related mandatory fringe benefits and medical service contracts for the creation of eleven positions. (Controller)

File 101-89-40, Ordinance No.

Supervisor Walker presented as recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward - 3.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, reflecting the addition of eleven positions in the Department of Public Health, Central Office; a companion measure to File 101-89-40. (Civil Service Commission)

File 102-89-16, Ordinance No.

Supervisor Walker presented as recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward 3.

Recommendation of Governmental Operations Committee

Consideration Continued

[Airport-Concession Lease]
Ordinance approving "Pacific Bazaar Lease" between ABC Cigar Company and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 62-89-9, Ordinance No.

Supervisor Gonzalez presented as recommendation of Committee.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved to continue consideration to October 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward - 3.

[Grant - State Funds]
Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend grant funds in the amount of $197,709 from the California Office of Traffic Safety for a project entitled the Bay Area Coalition/Driving Under the Influence Project for a thirty-six month period beginning October 1, 1989 through September 30, 1992. (Mayor)

File 68-89-11, Resolution No.

Supervisor Gonzalez presented as recommendation of Committee.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved to continue consideration to October 30, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 8.

Absent: Supervisors Nelder, Walker, Ward - 3.

Monday, October 23, 1989

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Prince Arcadia;
Gloria Reefer;
Tom Oshure;
Geraldine Johnson;
John Bardis;
Barbara York;
Bruce Levinski.

IMMEDIATE ADOPTION CALENDAR

Severed from Immediate Adoption Calendar

Supervisor Nelder requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Adopted as Amended

[Disaster Relief Fund]
Resolution authorizing the Mayor and other designated City and County Officials to execute and file, on behalf of the City and County of San Francisco, an application for federal financial assistance under the Federal Disaster Relief Act or federal assistance otherwise available from the President's Disaster Relief Fund. (Supervisor Britt)

File 270-89-1, Resolution No. 779-89

Supervisor Nelder, seconded by Supervisor Walker, moved to amend title, line 2, after the word "Mayor" by inserting "and other designated City and County Officials" and amend line 10, after the word "San Francisco," by inserting "or, in his absence, Harry G. Britt, President of the Board of Supervisors, Nancy G. Walker, Chair of the Finance Committee of the Board of Supervisors, or the Acting Mayor of the City and County of San Francisco."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Nelder, Walker - 6.

Noes: Supervisors Britt, Kennedy - 2.

Absent: Supervisors Hongisto, Maher, Ward - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

The Board resumed its consideration of the following item on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-43, Resolution No. 780-89

(Henry E. Berman, member, Fire Commission, October 13 - 15; Arnold Chin, member, Parking Authority, October 22 - November 3; Arthur H. Coleman, M.D., member, Port Commission, November 8 - 12; Libby Denebeim, member, Board of Education, November 2 - 13; Richard J. Guggenhime, member, Recreation & Park Commission, October 25 - 28; Edward Helfeld, Executive Director, Redevelopment Agency, November 2 - 4; Phil Chin, Director, Parking Authority, October 11 - 13; Patricia R. Underwood, R.N., member, Health Commission, October 16 - 17 and 28 - 31 and November 17 - December 3, 1989.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Refused Final Passage

[Stadium Lease Amendment]
Ordinance repealing Ordinance 361-89 approving second amendment to the stadium lease between the City and County by and through its Recreation and Park Commission and the San Francisco Giants; an emergency ordinance.

File 65-89-5.1, Ordinance No.

Supervisor Maher presented for final passage.

Supervisor Maher, seconded by Supervisor Walker, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

The roll was then called on the pending legislation and it was refused final passage by the following vote:

Ayes: Supervisors Gonzalez, Hongisto, Hsieh, Maher, Walker 5.

Noes: Supervisors Alioto, Britt, Hallinan, Kennedy, Nelder 5.

Absent: Supervisor Ward - 1.

Referred to Committee

[Stadium Lease Amendment]
Ordinance repealing Ordinance 361-89 approving second amendment to the stadium lease between the City and County by and through its Recreation and Park Commission and the San Francisco Giants; an emergency measure. (Supervisor Maher presented.) Referred to Finance Committee with request it be considered at the November 1, 1989 meeting.

File 65-89-5.2

Finally Passed as Amended

[Earthquake Recovery Fund]
Ordinance amending Administrative Code by adding Section 10.117-90 creating the Mayor's Earthquake Emergency Relief Fund and authorizing expenditures therefrom; finding of legislative emergency.

File 97-89-49, Ordinance No. 377-89

Supervisor Walker presented for final passage.

Supervisor Walker, seconded by Supervisor Kennedy, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Supervisor Walker, seconded by Supervisor Nelder, moved to amend title, line four, after the word "therefrom" by inserting "; finding of legislative emergency" and amend page two, line 14 by adding Section 2 as follows: "Section 2. Findings. The earthquake that occurred on October 17, 1989, damaged or destroyed many units of housing and businesses and in the process displaced many people. In addition, many public facilities and structures were damaged, and the ability to provide public services has been adversely impacted. Many businesses, citizens and public service organizations have already offered funds to assist the City in responding to the emergency needs of the City and its businesses and residents. The City and County of San Francisco needs to establish immediately a fund to receive emergency relief funds. This ordinance is adopted, therefore, as an emergency ordinance pursuant to Charter Section 2.301."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Finally passed as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Emergency Housing]
Ordinance establishing Emergency Earthquake Victims Housing Program, exempting temporary occupancies created thereunder for duration of emergency from provisions of Chapters 37 and 41 of the San Francisco Administrative Code and legislative finding of emergency.

File 97-89-50, Ordinance No. 376-89

Supervisor Nelder presented for final passage.

Supervisor Nelder, seconded by Supervisor Kennedy, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Supervisor Nelder, seconded by Supervisor Walker, moved to amend page two, line 17 after the word "effect" by inserting "no longer than six months" and amend line 19 after the word "Code" by inserting "except where the personal emergency suffered by the

occupant because of the October 17, 1989, earthquake continues beyond that six month period, in which case the temporary occupancy will continue no longer than the date of cessation of such occupant's personal emergency" and amend line 25 after the word "Code," by inserting "where occupancy commenced as provided in Section 4 above,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Finally passed as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Referred to Immediate Adoption Calendar

[Earthquake Emergency Permit Procedure]
Draft ordinance establishing earthquake emergency building permit procedure to require the Departments of Public Works and City Planning to give first priority to and expedite the processing of permits to repair or replace structures damaged or destroyed by the October 17, 1989 earthquake; authorizing certain building code permit procedures and planning code provisions to be waived or modified; giving prior tenants first right to occupy structures repaired or replaced under this ordinance at the same rent subject to adjustment to ensure fair return to owner; authorizing Directors of Public Works and Real Estate to obtain additional space to accommodate increased permitting activity; finding of legislative emergency. (Supervisor Nelder presented.) Referred to Board October 30, 1989 Immediate Adoption Calendar.

File 270-89-2

Adopted

[Earthquake]
Resolution expressing sorrow and sympathy over the deaths, injury and damage caused by the October 17, 1989, earthquake and expressing thanks for the highly competent work performed in response to the earthquake.

File 270-89-3, Resolution No. 801-89

Supervisors Britt, Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Absent: Supervisors Nelder, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted as Amended

[Unreinforced Masonry Buildings]
Resolution urging the Mayor to provide for immediate structural testing and investigation of a cross-section of the City's unreinforced masonry buildings in order to identify what additional federal and state emergency funds are needed to remediate damage caused by the earthquake of October 17, 1989. (Supervisors Hsieh, Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker presented.)

File 270-89-4, Resolution No. 802-89

Supervisors Hsieh, Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker presented for immediate adoption.

Supervisor Hsieh, seconded by Supervisor Maher, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Supervisor Hsieh, seconded by Supervisor Walker, moved to amend page two, line 9, after the word "agencies" by inserting "to rehabilitate and reinforce unreinforced masonry buildings".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted

[Preservation of Buildings]
Resolution urging the Mayor and the Chief Administrative Officer to urge the Department of Public Works and Department of City Planning to meet with preservationist groups and to consider alternatives to demolition, where safe and feasible.

File 270-89-5, Resolution No. 782-89

Supervisor Maher presented for immediate adoption.

Supervisor Maher, seconded by Supervisor Walker, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder - 9.

Absent: Supervisors Walker, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted

[Post-Earthquake Building Preservation]
Resolution declaring the official policy of the City and County to preserve and strengthen all buildings affected by the earthquake, where possible and in accordance with acceptable safety standards.

File 270-89-6, Resolution No. 781-89

Supervisor Hongisto presented for immediate adoption.

Supervisor Hongisto, seconded by Supervisor Walker, moved that the Board find that the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Requests for Hearings

File 40-89-19, By Supervisor Kennedy: To consider whether to increase the number of residential permit parking permits issued to school personnel at McKinley Elementary School. Referred to Public Works Committee.

File 270-89-7, By Supervisor Hongisto: To consider the number of people displaced by the earthquake, the number of housing units slated for demolition and steps that can be taken to identify permanent replacement housing. Referred to Oversight Committee.

File 270-89-8, By Supervisor Hongisto: To consider reports on the state of the water supply, its safety and whether there has been any rupture of the City's sewer system and steps being taken or plans being recommended to correct any structural defects and strengthen the water and sewer systems. Referred to Oversight Committee.

File 270-89-9, By Supervisor Hongisto: To consider and assess the effectiveness of the official response by the City and County to the earthquake emergency (emergency coordination center, emergency communication system, lines of authority and responsibility, satellite emergency coordinating centers, response time of department heads, earthquake preparedness programs for department officials, emergency preparedness seminars or educational programs for key officials on an annual or bi-annual basis, emergency clearing house, decision for closing schools and reporting same to the public, registry of professional people who could be called upon to supply emergency services). Referred to Oversight Committee.

File 270-89-10, By Supervisor Hongisto: To consider and assess the role of the Sheriff's Department during the earthquake emergency. Referred to Oversight Committee.

File 270-89-11, By Supervisor Walker: To consider location of designated disaster centers. Referred to Oversight Committee.

File 270-89-12, By Supervisor Gonzalez: To consider and review proposed emergency housing initiatives developed in response to the October 17, 1989 earthquake whereby over a thousand housing units in the City of San Francisco have been destroyed. Referred to Oversight Committee.

File 270-89-13, By Supervisor Gonzalez: To consider and assess the City's and private sectors capabilities in the event of a major earthquake and to examine the modifications needed to our current emergency response system. Referred to Oversight Committee.

File 270-89-14, By Supervisor Gonzalez: To consider and assess federal and state relief efforts available to San Francisco residents in order to inquire about their timeliness and effectiveness in reaching earthquake victims. Referred to Oversight Committee.

File 101-89-48, By Supervisor Walker: To consider need for appropriations for emergency earthquake relief and services. Referred to Finance Committee with request it be considered at the October 25, 1989 meeting.

File 271-89-1, By Supervisor Kennedy: To consider proposed youth project (to house 20 youths) at 899 Guerrero Street. Referred to Land Use Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hongisto, that letters be sent to General Manager, Water Department, Director of Public Works and Director of Public Health requesting reports on the state of the water supply, its safety and whether there has been any rupture of the City's sewer system near any collapsed or rupture of the water system that could lead to contamination of the water supply and what steps are being taken or plans being recommended to correct any structural defects and strengthen the water and sewer systems.

By Supervisor Hongisto, that letter be sent to Assessor inquiring what financial impact the earthquake will have on property taxes.

By Supervisor Kennedy, that letter be sent to his Honor, the Mayor, on behalf of the Board commending him on his exemplary leadership in responding to the disaster caused by the earthquake of October 17, 1989.

By Supervisor Kennedy, that letter be sent to his Honor, the Governor of California, urging him to call a special session of the legislature to consider enacting emergency legislation which will authorize temporary means of generating revenue to handle the earthquake disaster.

By Supervisor Kennedy, that letter be sent to his Honor, the President, thanking him for coming to survey the earthquake disaster areas and urging him to make sure funds will be forthcoming as soon as possible by urging Congress to pass appropriate legislation.

By Supervisor Kennedy, that letter of inquiry be sent to Chief of Police to determine if an investigation can be made of alleged increase of crime at the location of Hyde and O'Farrell Streets.

By Supervisor Kennedy, that letter of inquiry be sent to District Attorney and Chief of Police concerning Tow Away Company and its disposition of a vehicle left in its storage yard and its subsequent sale prior to notification of the lien sale to the owner. What can the owner do to get restitution.

By Supervisor Kennedy, that letter of inquiry be sent to Director, Parking Authority to determine why monthly parking was discontinued at the 5th and Mission Garage.

By Supervisor Kennedy, that letter be sent to Civil Service Commission transmitting correspondence concerning promotions in the County Clerk's office.

By Supervisor Walker, that letter be sent to the American Red Cross thanking them for their quick response, fine work and assistance over the difficult days since the October 17, 1989 earthquake.

By Supervisor Walker, that letter of appreciation be sent to Supervisor Susan Smolly, Sacramento, for offering assistance of her administrative assistant and her family during the days following the October 17, 1989 earthquake.

By Supervisor Britt, that letters be sent to Board of Supervisors, Imperial County, and County of San Diego expressing our appreciation for their offer of assistance during the days following the October 17, 1989 earthquake.

By Supervisor Britt, that letters be sent to Santa Cruz, Alameda County, City of Oakland expressing deepest sympathies for the loss of lives in the earthquake disaster.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Persons who died as a result of the earthquake of October 17, 1989 in San Francisco and in other areas in California (Entire Board)
John J. Anderson (Entire Board)
Jeffrey Choi (Entire Board)
Yuk Lin Lau (Entire Board)
Derek Van Alstyne (Entire Board)
Scott Dickinson (Entire Board)
Diane Laufer (Entire Board)
DeSota Barker (Entire Board)
Donald McGlinchy (Entire Board)
Anamafi K. Moala (Entire Board)
Ana Sonia Jimenez (Entire Board)
Martha J. Edstrom (Entire Board)
Anis Kahn (Entire Board)
Timothy Moss (Entire Board)

Juan Rubi (Entire Board)
Mark Zambetti (Entire Board)
Paul Harris (Entire Board)
Jane Doe (Entire Board)
Eva Janneistad (Entire Board)
Robert L. Chiappari (Supervisor Britt)
Fourth annual remembrance for San Franciscans who have died in the AIDS epidemic (Supervisor Hongisto)

File 2-89-43

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:49 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

MAR 1 2 1990

Approved by the Board of Supervisors on _____

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 44

Monday, October 30, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
JUL 4 1990
SAN FRANCISCO
PUBLIC LIBRARY

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 30, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Harry G. Britt, the meeting was called to order at 2:08 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Hallinan, Hsieh, Kennedy, Nelder; Walker - 6.

Noted absent at first roll call:

Supervisors Britt, Gonzalez, Hongisto, Maher, Ward - 5.

Quorum present.

Supervisor Britt was noted present at 2:45 p.m.

Supervisor Gonzalez was noted present at 2:11 p.m.

Supervisor Hongisto was noted present at 2:16 p.m.

Supervisor Maher excused, on official leave of absence.

Supervisor Ward excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Alioto, seconded by Supervisor Nelder, moved that Supervisor Walker be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Maher, Ward - 4.

Supervisor Walker thereupon assumed the Chair.

Supervisor Britt Excused

The Clerk announced that President Britt is attending a special meeting of the Metropolitan Transportation Commission and requested to be excused until his arrival.

Supervisor Nelder, seconded by Supervisor Gonzalez, moved to excuse Supervisor Britt until his arrival.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Maher, Ward - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Hallinan, moved that the Journals of Proceedings for Monday, June 19, 26 and Saturday, July 1, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Maher, Ward - 4.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $391,054, Public Health - CPHS - Health Centers, for permanent salaries - miscellaneous, permanent salaries - nurses, and related mandatory fringe benefits and medical service contracts for the creation of eleven positions. (Controller)

File 101-89-40, Ordinance No. 393-89

Finally passed.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1989-90, reflecting the addition of eleven positions in the Department of Public Health,

Central Office; a companion measure to File 101 89-40. (Civil Service Commission)

File 102-89-16, Ordinance No. 392-89

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of David Dube against the City and County of San Francisco by payment of $7,500. (City Attorney)

File 45-89-40, Ordinance No. 389-89

(Superior Court No. 879-702)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Dorothy Moore against the City and County of San Francisco by payment of $85,000. (City Attorney)

File 45-89-41, Ordinance No. 390-89

(Superior Court No. 825-524)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Robert Rovai against the City and County of San Francisco by payment of $12,500. (City Attorney)

File 45-89-42, Ordinance No. 387-89

(Superior Court No. 883-107)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Edward George Fierro against the City and County of San Francisco by payment of $8,000. (City Attorney)

File 45-89-44, Ordinance No. 388-89

(U.S. District Court No. C88-1305 SAW)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of William Guedet vs. O'Brien Kreitzberg & Associates, Inc., et al., upon receipt of the sum of $15,000 and a Compromise and Release of Future Workers' Compensation Benefits, and authorizing release of lien. (City Attorney)

File 46-89-14, Ordinance No. 391-89

(Superior Court No. 838-989.)

Finally passed.

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Harry Hunt against the City and County by payment of $11,000. (City Attorney)

File 45-89-45, Ordinance No.

(Superior Court No. 900-092.)

Passed for second reading.

Adopted

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H32 Captain, Division of Fire Prevention and Investigation, Fire Department. (Fire Commission)

File 31-89-15, Resolution No. 824-89

Adopted.

Recommendation of Human Services Committee

Finally Passed

[Animal Care and Control]
Ordinance amending Health Code to require residency for each member of the Commission of Animal Control and Welfare except for the one member of the Commission who is a licensed veterinarian who practices in San Francisco. (Supervisor Maher)

File 118-89-4, Ordinance No. 394-89

(Amends Section 41.1.)

Finally passed.

Recommendations of Public Works Committee

Finally Passed

[Building Code]
Ordinance repealing Part II, Chapter I of the San Francisco Municipal Code (Building Code); adopting in its entirety a new San Francisco Building Code. (Department of Public Works).

File 114-89-3, Ordinance No. 395-89

Finally passed.

[Electrical Code]
Ordinance repealing Part II, Chapter III of the San Francisco Municipal Code (Electrical Code); adopting in its entirety a new San Francisco Electrical Code. (Department of Public Works)

File 116-89-1, Ordinance No. 396-89

Finally passed.

[Plumbing Code]
Ordinance repealing Part II, Chapter VII of the San Francisco Municipal Code (Plumbing Code); adopting in its entirety a new San Francisco Plumbing Code. (Department of Public Works)

File 120-89-1, Ordinance No. 397-89

Finally passed.

[Mechanical Code]
Ordinance repealing Part II, Chapter XIV of the San Francisco Municipal Code (Mechanical Code); adopting in its entirety a new San Francisco Mechanical Code. (Department of Public Works)

File 122-89-1, Ordinance No. 398-89

Finally passed.

[Housing Code]
Ordinance repealing Part II, Chapter XII of the San Francisco Municipal Code (Housing Code); adopting in its entirety a new San Francisco Housing Code. (Department of Public Works)

File 125-89-2, Ordinance No. 399-89

Finally passed.

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Lease of Property]
Ordinance approving a ten-year lease with option to extend term for an additional ten-year period, between City and County of San Francisco, Lessor, and No. 1 NB Partners, Lessee. (Public Utilities Commission)

File 65-89-7, Ordinance No.

(Portion of Parcel 111-C, located in Milpitas, California, for parking and landscaping.)

Passed for second reading.

Adopted

[Lease of Property]
Resolution authorizing lease of real property at 25 Van Ness Avenue for the San Francisco Rent Stabilization Board. (Real Estate Department)

File 64-89-34, Resolution No. 826-89

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend a grant of $1,427,846 from the Department of Health and Human Services, Health Resources and Services Administration, to continue funding the AIDS Service Demonstration Program. (Mayor)

File 146-89-58, Resolution No. 823-89

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to apply for, accept and expend a grant of $282,295 from the State Office of Mental Health for consultation, education and information unit services; this is an addendum to the San Francisco City and County Short-Doyle Plan for Mental Health Services in Fiscal Year 1989-90, Part A. (Mayor)

File 146-89-59, Resolution No. 822-89

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Mental Health Programs Division, to accept and expend a grant augmentation not to exceed $60,000 from the State Department of Mental Health for AIDS/Mental Health Services. (Mayor)

File 146-89-60, Resolution No. 821-89

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Substance Abuse Services to apply for, accept and expend a grant up to the amount of $5,936,144 from the State of California, Department of Alcohol and Drug Programs to augment substance abuse treatment programs for the purpose of reducing or eliminating patient/client waiting lists for services. (Mayor)

File 146-89-62, Resolution No. 820-89

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Mental Health Programs Division, to accept and expend a grant not to exceed $100,000 from the State Department of Mental Health for an AIDS Dementia/Mental Health Facility. (Mayor)

File 146-89-63, Resolution No. 819-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Maher, Ward - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Governmental Operations Committee

Passed for Second Reading

[Airport Concession Lease]
Ordinance approving "Pacific Bazaar Lease" between ABC Cigar Company and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 62-89-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Maher, Ward - 4.

Consideration Continued

[Film and Video Arts Commission]
Ordinance amending Administrative Code authorizing the Office of the Mayor to enter into use agreements with film and other visual arts companies for use of City property, personnel and facilities and properties and requiring such companies to enter into use agreements, by creating a San Francisco Film and Video Arts Commission, by establishing the duties and authority of the Commission, and by replacing the Mayor's Office Film Coordinator with an Executive Director appointed by the Commission. (Supervisor Alioto)

File 97-89-40, Ordinance No.

(Amends Chapter 57.)

Supervisor Alioto, seconded by Supervisor Nelder, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Maher, Ward - 4.

[Art Commission]
Resolution urging the Mayor to urge the Art Commission to invite the Chair of the Film and Video Arts Commission to attend the meetings of the Art Commission. (Supervisor Alioto)

File 97-89-40.1, Resolution No.

Supervisor Alioto, seconded by Supervisor Nelder, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Maher, Ward - 4.

Adopted

[Grant - State Funds]
Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend grant funds in the amount of $197,709 from the California Office of Traffic Safety for a project entitled the Bay Area Coalition/Driving Under the Influence Project for a thirty-six month period beginning October 1, 1989 through September 30, 1992. (Mayor)

File 68-89-11, Resolution No. 818-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Hongisto, Maher, Ward - 4.

Recommendations of Public Works Committee

Consideration Continued

[Condominium Conversion Limitation]
Ordinance amending Subdivision Code, to modify the definition of conversion, to provide that the conversion of two-unit buildings is exempt from the code where the building is owner-occupied for one year prior to application for conversion, to extend the 200 unit annual limit on condominium conversions for four years, to clarify the definition of continuous ownership, and to exempt the conversion of stock cooperatives from the 200 unit annual limitation where 75 percent of the units have been continuously occupied by owners of record for three years prior to application for conversion. (Supervisors Kennedy, Hsieh)

File 126-89-3, Ordinance No.

(Amends Sections 1308, 1359, 1396.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to November 6, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Gonzalez, Maher, Ward - 4.

Finally Passed

[Condominium Transfer Administration]
Ordinance amending Subdivision Code, to transfer responsibility for administering the provisions of the code concerning the resale of units converted to condominiums from the Department of Real Estate to the Mayor's Office of Housing. (Supervisor Kennedy)

File 126-89-4, Ordinance No. 400-89

(Amends Sections 1341B and 1343.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Britt, Gonzalez, Maher, Ward - 4.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $12,000,000, Department of Public Works, for capital improvement projects (street reconstruction and renovation and new safety projects), for fiscal year 1989-90; placing $9,150,569 on reserve. (Controller)

File 101-89-21, Ordinance No.

Supervisor Nelder, seconded by Supervisor Gonzalez, moved to amend by reducing the amount for asphalt plant improvement from "$1,362,431" to "$250,000".

After a period of discussion, there being no objection, Supervisor Nelder withdrew her motion.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to amend by placing a cap of $1.362 million for asphalt plant improvement.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan - 3.

Noes: Supervisors Britt, Hongisto, Hsieh, Kennedy, Nelder, Walker - 6.

Absent: Supervisors Maher, Ward - 2.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Government Funding]
Ordinance appropriating $75,000 for professional services (alternative sentencing program), Public Defender, for fiscal year 1989-90, placing $37,500 on reserve. (Controller)

File 101-89-37, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Worksite Infant Care Center]
Ordinance amending the Administrative Code, creating a Worksite Infant Care Center Special Fund. (Supervisor Ward)

File 97-89-43, Ordinance No.

(Adds Section 10.117-92.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Southeast Community Facility Commission]
Ordinance amending Administrative Code, substituting the term "president" for "chairperson" for the Southeast Community Facility Commission and to increase the payment for attendance of commission meetings from $25.00 to $50.00 per meeting. (Supervisor Ward)

File 97-89-44, Ordinance No.

(Amends Section 54.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Revolving Funds]
Ordinance amending Administrative Code, to increase the Department of Social Services Revolving Fund to $20,000; to establish separate revolving funds for the Department of Social Services Aid to Families With Dependent Children Program and the Department of Social Services General Assistance Program. (Department of Social Services)

File 97-89-46, Ordinance No.

(Amends Section 10.157.)
Adds Sections 10.157-1 and 10.157-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

Adopted

[Modifications to Issuance Criteria for Transit Discount Card]
Resolution approving modifications to the criteria for issuance of the Regional Transit Connection Discount Card in accordance with Charter Section 3.598. (Public Utilities Commission)

File 7-89-6, Resolution No. 817-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Emergency Work]
Resolution authorizing the Director of Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to restore the integrity of the sewer on Cosmo Place, Taylor to Jones Streets. (Department of Public Works)

File 28-89-14, Resolution No. 816-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

Consideration Continued with Pending Amendment

[Reimbursement to Employees]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Finance Committee)

File No. 51-89-3, Resolution No.

Department	Item	Amount Claimed	Amount Recommended
Department of Public Health			
Karen Bisagno	Vandalized Auto	$ 1,406.30	0
Rozanne Miller	Torn Pants	48.99	35.00
Susan Heffron	Damaged Auto	240.00	240.00
Janice E. Smith	Stolen Cash	240.00	0
Robert D. Wallace	Broken Pocket Computer	115.00	0
Assessor			
Christopher Sam	Vandalized Auto	275.00	0
Christopher Sam	Vandalized Auto	280.00	280.00
Recreation and Park			
Nersi Boussina	Vandalized Auto	212.00	0
Cheng Yu	Vandalized Auto and Stolen Items	980.00	0
Helen Sant	Vandalized Auto	50.00	50.00
Public Works			
Everett E. Timmer	Stolen Jacket	63.80	0
Jessie Rivera	Damaged Pants	32.00	16.00
Juvenile Court			
Daniel Hicks	Torn Shirt	25.00	25.00
	TOTAL	$ 4,218.11	$ 646.00

Supervisor Nelder, seconded by Supervisor Alioto, moved to amend the claim submitted by Christopher Sam by recommending the amount of $275.

Supervisor Nelder, seconded by Supervisor Alioto, moved to continue consideration, with pending amendment to November 6, 1989.

Motion to continue with pending amendment adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward 2.

President Britt assumed the Chair.

Adopted

[Dispute Res ıtion Program Fund]
Resolution approving the Dispute Resolution Program, establishing monitoring responsibilities for the Mayor's Office of Community Development, and authorizing the Mayor's Office of Community Development to administer the Dispute Resolution Program. (Mayor's Office of Community Development)

File 79-89-4, Resolution No. 815-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Consideration Continued with Pending Amendment

[Trial Court Funding]
Resolution electing to become subject to the provisions of the State Trail Court Funding Program for the period July 1, 1990, through June 30, 1991. (Controller)

File 187-89-2, Resolution No. 830-89

Supervisor Nelder, seconded by Supervisor Alioto, moved an amendment of the whole bearing same title as above.

Supervisor Alioto, seconded by Supervisor Hsieh, moved to continue consideration with pending amendment of the whole to November 6, 1989.

Motion to continue with pending amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward 2.

Recommendations of Governmental Operations Committee

Consideration Continued

[Government Funding]
Ordinance rescinding $71,600 from services of other departments-miscellaneous departments, division overhead, professional services and other contractual services, Department of Social Services, Public Health Central Office, Public Works-Engineering, Recreation and Park Commission Administration/Business Office, Office of the Mayor and Public Works-Water Pollution Control for fiscal year 1989 90 (work improvement project). (Governmental Operations Committee)

File 101-89-49, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Nelder, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Nelder, Walker - 7.

Noes: Supervisors Hongisto, Kennedy - 2.

Absent: Supervisors Maher, Ward - 2.

Passed for Second Reading

[Contracts - Competitive Bidding for Contracts Over $50,000]
Ordinance amending Administrative Code, to provide that contracts in excess of $50,000 (rather than $15,000) be awarded to the lowest reliable and responsible bidder. (Supervisor Kennedy)

File 97-89-45.1, Ordinance No.

(Amends Section 6.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Salary Standardization Ordinance - Pay Equity]
Ordinance amending Ordinance No. 141-89 (Salary Standardization Ordinance for Fiscal Year 1989-90, Charter Sections 8.400, 8.401 and 8.407) by correcting Section XI.A and B adjustments and adjusting rates of pay for various classifications reflected in Section XIV.B, schedule of pay equity adjustments and in Section XIV.C, composite schedule of compensation including pay equity adjustments; effective July 1, 1989. (Civil Service Commission)

File 106-89-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

Adopted

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding with Building Material and Construction Teamsters, Local #216. (Employee Relations Division)

File 93-89-19, Resolution No. 814-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward 3.

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding with Bricklayers, Stone Masons, Terrazzo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local Union No. 7. (Employee Relations Division)

File 93-89-20, Resolution No. 813-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward 3.

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding with Transport Workers Union Local 250-A (Miscellaneous). (Employee Relations Division)

File 93-89-21, Resolution No. 812-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding with Transport Workers Union Local 250-A (7410 Automotive Service Worker). (Employee Relations Division)

File 93-89-22, Resolution No. 811-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a grant up to the amount of $676,015 from the United States Department of Health and Human Services, Alcohol, Drug Abuse and Mental Health Administration, Office of Substance Abuse Prevention for multicultural substance abuse prevention services for youth. (Mayor)

File 146-89-57, Resolution No. 827-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health, Child Health and Disability Prevention Program (CHDP), to accept and expend funds in the total amount of $1,141,751 from the State Department of Health Services for Child Health and Disability Prevention services. (Mayor)

File 146-89-61, Resolution No. 825-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter of the City and County and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to Wright Marketing Inc., dba National Home Care Systems.

File 107-89-12

The privilege of the floor was granted to the following:

Mark Heaney, National Home Care Systems.

From the Department of Social Services

Adopted

[In-Home Support Service Contract]
Resolution finding that the General Manager of the Department of Social Services of the City and County has complied with the requirements of the Administrative Code and the Charter of the City and County and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract. (Department of Social Services)

File 107-89 12, Resolution No. 810-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Maher, Ward 2.

COMMITTEE REPORTS

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John O'Brien;
Tom Oshure;
Joe O'Donaghue;
Dedde Hapner;
Margaret Vergus;
Ace Washington.

Closed Session Rescheduled

President Britt announced that because of the state of emergency caused by the earthquake of October 17, 1989, a motion to continue to the call of the Chair would be in order concerning the closed session scheduled for today with the Chief of Police and President of the Police Commission pursuant to Government Code to determine whether significant exposure to litigation exists as a result of police involvement in Castro District demonstration on Friday, October 6, 1989 and how it relates to other similar incidents within last year or two.

Supervisor Hallinan, objecting to a continuance to an indefinite time, moved to continue consideration to November 20, 1989.

Motion lost for want of a second.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to December 18, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Maher, Ward 2.

Statement by Supervisor Walker

Summary of Housing Actions

The Mayor and the Board of Supervisors have been made aware of the impact of the October 17 earthquake on our city's housing resources. There has been a loss of residential units, both short and long term, which aggravates the supply of housing, especially affordable housing, for our residents. Tenants, especially low income tenants, are facing temporary or permanent displacement, aggravated by confusion and fear resulting from the postings of almost 4000 buildings as damaged or severely damaged. Building owners are concerned regarding their rights and responsibilities during this period.

In order to create greater certainty to all parties, to resolve the status of the safety of our buildings, and to move forward on the reconstruction of our housing, several legislative elements will be necessary. These would include:

1. Enacting a moratorium on evictions from any buildings damaged by the earthquake, according to the Department of Public Works.

2. Requesting a moratorium on the payment of mortgage payments by Owners of damaged buildings from all lending institutions.

3. Providing an orderly process for the complete and definitive inspection of any and all buildings that owners or tenants feel may have suffered some structural damage due to the earthquake.

4. Providing accurate, public, and multilingual information regarding the rights and responsibilities of owners to vacate buildings in order to take action to restore the structures to habitable condition.

5. Providing accurate, public, and multilingual information regarding the rights and responsibilities of tenants to occupy their units if requested to vacate, to seek adjustments to their rents if their units are not occupiable, and to retain their own technical advice regarding the safety of their units.

6. A commitment of the city permit granting agencies to prioritize assisting building owners in the repair and replacement of structures as required.

7. A commitment of the city to prioritize financial resources in the reconstruction effort, especially to minimize the financial impact on low and moderate income tenants and owners, and on small business.

In order to coordinate these efforts, the Mayor and the Board of Supervisors are developing coordinated legislation over the next days and weeks. This effort takes some time, but to rush too quickly to adopt legislation may cause greater public confusion than to present a clear and comprehensive set of policies and laws that will lead us forward in a thoughtful reconstruction effort.

Severed from Immediate Adoption Calendar

Supervisor Nelder requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

IMMEDIATE ADOPTION CALENDAR

Consideration Continued

[Earthquake Emergency Permit Procedure]
Ordinance establishing earthquake emergency building permit procedure to require the Departments of Public Works and City Planning to give first priority to and expedite the processing of permits to repair or replace structures damaged or destroyed by the October 17, 1989 earthquake; authorizing certain building code permit procedures and planning code provisions to be waived or modified; giving prior tenants first right to occupy structures repaired or replaced under this ordinance at the same rent subject to adjustment to ensure fair return to owner; authorizing Directors of Public Works and Real Estate to obtain additional space to

accommodate increased permitting activity; finding of legislative emergency. (Supervisors Nelder, Alioto)

File 270 89-2, Ordinance No.

(Pursuant to Charter Section 2.300, nine votes required to pass this item.)

In response to Supervisor Nelder's inquiry, Deputy City Attorney Ted Lakey stated above emergency ordinance requires nine votes for passage. There are nine members present. Supervisor Hallinan has been advised he has a conflict of interest. There is a rule under State law which would allow an individual who has a conflict to vote. However, since there are other members of the Board who are not here and are not disqualified, it would be inappropriate for Supervisor Hallinan to vote. Mr. Lakey suggested this item be continued until other members who are not disqualified can vote.

Upon further inquiry, Deputy City Attorney Ted Lakey stated the State insisted that as long as there is a member who, at some point, will be available, it is not appropriate to utilize the rule of necessity.

In response to Supervisor Nelder's inquiry whether the Mayor has the power to enact this legislation, Deputy City Attorney Ted Lakey stated there are provisions in the Charter where the Mayor can act when certain kinds of emergency arises, but in this particular situation, he cannot.

Supervisor Nelder, seconded by Supervisor Kennedy moved to continue consideration to November 6, 1989 Emergency Calendar.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward 2.

The Board resumed its consideration of the following item on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89 44, Resolution No. 803-89

(Terence Hallinan, member, Board of Supervisors, November 8 - 11; Richard Hongisto, member, Board of Supervisors, November 16 - 20; Tom Hsieh, member, Board of Supervisors, November 24 - 26; Willie B. Kennedy, member, Board of Supervisors, November 30 - December 3; Frankie Gillette, member, Human Rights Commission, October 25 - 29 and November 27 - December 1; Michael Hennessey, Sheriff, December 20 - 29; Donald R. Stephens, member, Airports Commission, October 24 - 26 and October 30 - November 2, 1989.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Rent Ordinance]
Draft ordinance amending Administrative Code by amending Sections 37.3 and 37.8 to permit landlords to pass through to tenants penalties for exceeding water allotment. (Supervisor Kennedy presented.) Referred to Land Use Committee.

File 109-88-3

[Earthquake Relief/Tax Deferral]
Ordinance implementing Section 194.9 of the Revenue and Taxation Code by authorizing deferral of supplemental roll taxes on property which has sustained substantial damage in the earthquake of October 17, 1989. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 270-89-15

Referred to Board Emergency Calendar

[Tenant Evictions - Earthquake Damaged Buildings]
Ordinance establishing moratorium on evictions of all tenants who are legal occupants of buildings which have suffered damage due to the earthquake of October 17, 1989; finding of legislative emergency. (Supervisors Nelder and Walker presented.) Referred to Board November 6, 1989 Emergency Calendar.

File 270-89-16.1

[Earthquake Emergency Procedure]
Ordinance establishing 90 day earthquake emergency procedure to require the owners of residential buildings posted for limited entry or suspected of containing structural damage to obtain an assessment of the building's condition within 10 days, to authorize the temporary displacement of tenants during this 10-day period, to require notice to tenants and posting of assessment reports, to authorize tenants to obtain an independent assessment of the building's condition, to require restoration of the building's life safety systems and sanitation within 30 days, and to provide that tenants displaced from rent-controlled buildings retain protections under the rent ordinance; finding of legislative emergency. (Supervisors Walker and Hsieh presented.) Referred to Board November 6, 1989 Emergency Calendar.

File 270-89-17

Adopted

[Gift Acceptance]
Resolution authorizing acceptance by the San Francisco Fire Department of $300,000 in cash from a private donor for the benefit of the Fire Department.

File 38-89-19, Resolution 804-89

Supervisor Hongisto presented for immediate adoption.

Supervisor Hongisto, seconded by Supervisor Hallinan, moved that the Board find the need to take action arose subsequent to publication of the Calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Street Closing]
Resolution authorizing temporary closing of a portion of Buchanan Street, between North Point and Bay Streets, on Saturday, November 11, 1989 from 11:00 a.m. to 5:00 p.m., for the Marina Relief Block Party, to benefit earthquake victims in the Marina District.

File 42 89 39, Resolution No. 805 89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward 2.

[Federal Funding Refugee]
Resolution approving a contract modification for employment services to refugees and approving prior actions (Private Industry Council).

File 156 89 3, Resolution No. 806 89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Alioto, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker 8.

Absent: Supervisors Kennedy, Maher, Ward 3.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward 2.

[Tenant Evictions Earthquake Damaged Buildings]
Resolution urging the Mayor to impose a moratorium on evictions of all tenants who are legal occupants of buildings which have suffered damage due to the earthquake of October 17, 1989.

File 270 89 16. Resolution No. 807-89

Supervisors Nelder and Walker presented for immediate adoption.

Supervisor Nelder, seconded by Supervisor Walker, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward 2.

[Special Need in AFDC Assistance]
Resolution urging the Social Services Commission and the Department of Social Services to find that special needs exist to grant "Special Needs" Aid to Families with Dependent Children assistance.

File 270 89-18, Resolution No. 829-89

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Nelder, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker 8.

Absent: Supervisors Hongisto, Maher, Ward 3.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Emergency Food Stamp Assistance]
Resolution urging the Social Services Commission and the Department of Social Services to apply for authorization to implement emergency food stamp assistance.

File 270 89 19, Resolution No. 808 89

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Nelder, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

[Lending Institutions Mortgage Moratorium]
Resolution urging all lending institutions to institute a thirty (30) day moratorium on all mortgage payments for owners of property who suffered damage due to the earthquake of October 17, 1989.

File 270 89-20, Resolution No. 808 89

Supervisors Nelder, Walker, Alioto presented for immediate adoption.

Supervisor Nelder, seconded by Supervisor Walker, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward - 2.

Requests for Hearings

File 40-89-20, By Supervisor Kennedy: To consider the process of how residential parking stickers are distributed, i.e. how it is that one side of a particular street is authorized to receive parking sticker and the other side of the street is not. Referred to Public Works Committee.

File 100-89-1.1, By Supervisor Walker: To consider release of $50,000, Fire Department, held in reserve for examinations. Referred to Finance Committee.

File 206-89-3, By Supervisor Nelder: To consider operations of the San Francisco Housing Authority to include, but not limited to, conduct of public hearings, maintenance and upkeep of units, use of public funds and public housing tenants association. Referred to Oversight Committee.

File 219-89-7, By Supervisor Kennedy: To consider banning tour buses west of Church Street (Eighteenth Street). Referred to Public Works Committee.

File 270-89-16.2, By Supervisor Walker: To consider whether legislation is needed to protect tenants from evictions from earthquake damaged buildings. Referred to Human Services Committee.

File 270-89-21, By Supervisor Nelder: To consider requesting an analysis from fire prevention experts with a view toward establishing programs to increase protection against fire in the event of another earthquake. Referred to Oversight Committee.

File 270-89-23, By Supervisor Nelder: To consider the existence and contents of prior and current emergency standards and preparation. Referred to Oversight Committee.

Motions

Adopted

[Commendation]
Motion recognizing and commending Frank Blackburn.

File 4-89-23

Supervisor Nelder presented for immediate adoption.

Supervisor Nelder, seconded by Supervisor Gonzalez, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

Main motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Referred to Committee

[Rules of Order - Appointees, Applications]
Motion amending Chapter 5, Rule 5.1, of the Rules of Order of the Board of Supervisors, requiring applicants for appointments to committees and commissions, which are subject to approval by the Board of Supervisors, to file applications with the Rules Committee at least seven days prior to the date on which such application shall be considered by the Rules Committee. (Supervisor Kennedy presented.) Referred to Rules Committee.

File 56-89-6

Suspension of the Rules

In response to the following letter from the Mayor, President Britt stated a motion to suspend the rules would be in order to permit adoption of a motion to create the Special Earthquake Recovery Committee of the Board of Supervisors:

October 30, 1989

Honorable Harry Britt
Board of Supervisors
Room 235
City Hall
San Francisco, CA 94102

Dear Supervisor Britt:

I am writing you in recognition of your notable efforts to respond to the needs of the City and its residents during this period of recovery from the October 17 earthquake. Members of the Board have taken the initiative to introduce legislation in response to various aspects of the earthquake recovery. I support in concept much of this legislation. I am concerned that in the attempt to address individual problems, there may be both redundancy and uncoordinated pieces of legislation which could confuse the intended beneficiaries.

With this in mind, I respectfully request the President of the Board to coordinate the introduction of legislation through the use of a committee of Board members established to review and recommend

all earthquake response and recovery legislation. I respectfully suggest the committee seek the advice of the various public departments and agencies in drafting legislation.

It has been brought to my attention that there has been public confusion and apprehension regarding the safety of individual structures. I am also informed that it will take some additional days or weeks to complete the exhaustive building analysis necessary for both the Department of Public Works and building owners to assess the condition of properties.

For these reasons, I am requesting that the Board adopt a moratorium on all evictions of tenants who are the legal occupants of buildings which have suffered some damage due to the earthquake. I am also asking the Board to join me in urging all lending institutions to institute a 30 day moratorium on al mortgage payments for owners of property who have suffered damage due to the earthquake.

Sincerely

ART AGNOS

Thereupon, Supervisor Walker, seconded by Supervisor Alioto, moved to suspend Rule 3.22 to allow the Board to pass a motion establishing a special committee today.

Motion to suspend the rule adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward 2.

Adopted

[Earthquake Recovery Committee]
Motion suspending Rule 3.22 of the Rules of Order and establishing the Earthquake Recovery Committee of the Board of Supervisors.

File 270 89 22

Supervisor Britt presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker 9.

Absent: Supervisors Maher, Ward 2.

President Britt announced that Supervisors Walker (Chair), Nelder and Alioto have been selected as members of this newly established committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney advise whether current legislation authorizes a temporary modification of the agreement between persons in an existing landlord-tenant relationship for the temporary reduction of rent because of the earthquake emergency and whether the rate that would be currently authorized may be reinstated after the emergency. If current legislation does not so authorized, City Attorney is requested to prepare appropriate legislation for introduction on an emergency basis on November 6, 1989.

By Supervisor Walker, that City Attorney seek advice from the Fair Political Practice Commission regarding the application of the rule of necessity in the context of an emergency where members who are competent to vote but are unavailable and some of the remaining members when votes are necessary have a conflict that would ordinarily preclude their voting.

By Supervisor Nelder, that City Attorney advise concerning Housing Authority meetings.

By Supervisor Kennedy, that letter be sent to Director, Housing Authority, informing him a hearing has been called to address the operations of the San Francisco Housing Authority to include but not limited to conduct of public hearings, maintenance and upkeep of units, use of public funds and public housing tenants association.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Richard W. Goldman (By the entire Board)

File 2 89-44

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:52 p.m. adjourned.

Monday, October 30, 1989

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAR 1 9 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 45

Monday, November 6, 1989

Tuesday, November 7, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
JUN 4 1990
SAN FRANCISCO
PUBLIC LIBRARY

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 6, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Noted absent at first roll call:

Supervisors Hongisto, Maher, Ward - 3.

Quorum present.

Supervisor Hongisto was noted present at 2:32 p.m.

Supervisor Maher was noted present at 2:11 p.m.

Supervisor Ward excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Nelder, seconded by Supervisor Maher, moved that the Journals of Proceedings for July 3 and July 10, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

SPECIAL ORDER - 2:00 P.M.

Report Received

Report by the Mayor on the status of earthquake emergency.

File 270-89-24

The President announced he received communication from the Mayor indicating he will not be present today but has submitted a written report on the status of the earthquake emergency (copy of which is on file in the office of the Clerk of the Board of Supervisors).

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Walker requested that the following measures be severed from the Consent Calendar and considered separately.

Recommendations of Finance Committee

Consideration Continued

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-16, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-17, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H40 Battalion Chief, Fire Suppression, Fire Department. (Fire Department).

File 31-89-18, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H50 Assistant Chief, Fire Suppression, Fire Department. (Fire Department).

File 31-89-19, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H50 Assistant Chief, Fire Suppression, Fire Department. (Fire Department).

File 31-89-20, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H40 Battalion Chief, Fire Suppression, Fire Department. (Fire Department).

File 31-89-21, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-22, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-23, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-24, Resolution No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 7.

Noes: Supervisors Alioto, Gonzalez, Nelder - 3.

Absent: Supervisor Ward - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $12,000,000, Department of Public Works, for capital improvement projects (street reconstruction and renovation and new safety projects), for fiscal year 1989-90; placing $9,150,569 on reserve. (Controller)

File 101-89-21, Ordinance No. 401-89

Finally passed.

[Government Funding]
Ordinance appropriating $75,000 for professional services (alternative sentencing program), Public Defender, for fiscal year 1989-90, placing $37,500 on reserve. (Controller)

File 101-89-37, Ordinance No. 413-89

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Harry Hunt against the City and County by payment of $11,000. (City Attorney)

File 45-89-45, Ordinance No. 405-89

(Superior Court No. 900-092.)

Finally passed.

[Worksite Infant Care Center]
Ordinance amending Administrative Code, creating a Worksite Infant Care Center Special Fund. (Supervisor Ward)

File 97-89-43, Ordinance No. 406-89

(Adds Section 10.117-92.)

Finally passed.

[Southeast Community Facility Commission]
Ordinance amending Administrative Code, substituting the term president for chairperson for the Southeast Community Facility Commission and to increase the payment for attendance of commission meetings from $25.00 to $50.00 per meeting. (Supervisor Ward)

File 97-89-44, Ordinance No. 407-89

(Amends Section 54.2.)

Finally passed.

[Revolving Funds]
Ordinance amending Administrative Code, to increase the Department of Social Services Revolving Fund to $20,000; to establish separate revolving funds for the Department of Social Services Aid to Families With Dependent Children Program and the Department of Social Services General Assistance Program. (Department of Social Services)

File 97-89-46, Ordinance No. 408-89

(Amends Section 10.157.)
Adds Sections 10.157-1 and 10.157-2.)

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $71,000, Public Health - CMHS-Forensic, for capital improvement project (Hall of Justice - Jail No. 1), for fiscal year 1989-90. (Controller)

File 101-89-46, Ordinance No.

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Kenneth A. Troche v. Kenneth H. McDermott, et al., upon receipt of the sum of $12,500; and authorizing dismissal of said complaint. (City Attorney)

File 46-89-17, Ordinance No.

(San Mateo Superior Court No. 330970.)

Passed for second reading.

Adopted

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Wanda D. Wilson by payment of $6,250. (City Attorney)

File 48-89-12, Resolution No. 843-89

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Nelson Yee by payment of $6,699.28. (City Attorney)

File 48-89-13, Resolution No. 842-89

Adopted.

Recommendations of Governmental Operations Committee

Finally Passed

Airport Concession Lease]
rdinance approving "Pacific Bazaar Lease" between ABC Cigar Company nd the City and County of San Francisco, acting by and through its irports Commission. (Airports Commission)

ile 62-89-9, Ordinance No. 412-89

Finally passed.

Lease of Property]
rdinance approving a ten-year lease with option to extend term for n additional ten-year period, between City and County of San rancisco, Lessor, and No. 1 NB Partners, Lessee. (Public Utilities ommission)

ile 65-89-7, Ordinance No. 410-89

(Portion of Parcel 111-C, located in Milpitas, California, for parking and landscaping.)

Finally passed.

Contracts - Competitive Bidding for Contracts Over $50,000]
rdinance amending Administrative Code, to provide that contracts in xcess of $50,000 (rather than $15,000) be awarded to the lowest eliable and responsible bidder. (Supervisor Kennedy)

ile 97-89-45.1, Ordinance No. 409-89

(Amends Section 6.1.)

Finally passed.

Salary Standardization Ordinance - Pay Equity]
rdinance amending Ordinance No. 141-89 (Salary Standardization rdinance for fiscal year 1989-90, Charter Sections 8.400, 8.401 and .407) by correcting Section XI.A and B adjustments and adjusting ates of pay for various classifications reflected in Section XIV.B, chedule of pay equity adjustments and in Section XIV.C, composite chedule of compensation including pay equity adjustments; effective uly 1, 1989. (Civil Service Commission)

ile 106-89-7, Ordinance No. 411-89

Finally passed.

Adopted

[Lease of Real Property]
Resolution authorizing lease of vacant land from the State of California for use by the Municipal Railway for storage of trolley poles. (Real Estate Department)

File 64-89-35, Resolution No. 841-89

Adopted.

[Lease of Real Property]
Resolution authorizing lease of real property at 25 - 14th Street for the Juvenile Probation Department for a youth service center. (Real Estate Department)

File 64-89-36, Resolution No. 840-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Adopted as Amended

[Reimbursement to Employees]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty and waiving statutes of limitation. (Finance Committee)

File No. 51-89-3, Resolution No.

(October 30, 1989 - Consideration continued to November 6, 1989 with pending amendment to recommend $275 under claim submitted by Christopher Sam.)

Department	Item	Amount Claimed	Amount Recommended
Department of Public Health			
Karen Bisagno	Vandalized Auto	$ 1,406.30	0
Rozanne Miller	Torn Pants	48.99	35.00
Susan Heffron	Damaged Auto	240.00	240.00
Janice E. Smith	Stolen Cash	240.00	0
Robert D. Wallace	Broken Pocket Computer	115.00	0
Christopher Sam	Vandalized Auto	275.00	275.00
Christopher Sam	Vandalized Auto	280.00	280.00
Recreation and Park			
Nersi Boussina	Vandalized Auto	212.00	0
Cheng Yu	Vandalized Auto and Stolen Items	980.00	0
Helen Sant	Vandalized Auto	50.00	50.00
Public Works			
Everett E. Timmer	Stolen Jacket	63.80	0
Jessie Rivera	Damaged Pants	32.00	16.00
Juvenile Court			
Daniel Hicks	Torn Shirt	25.00	25.00
	TOTAL	$ 4,218.11	$ 921.00

Supervisor Nelder, seconded by Supervisor Hallinan, moved substitute amendment which further amended the pending amendment to add further resolved clause as follows: "FURTHER RESOLVED, That, as provided in Charter Section 2.300, the Board of Supervisors, with at least a three-fourths vote of all members, hereby waives any and all statutes of limitations that may apply with regard to the claim of Christopher Sam for $275.00 for a vandalized auto, and further amends this resolution to allow for the payment of reimbursement to Mr. Sam for $275.00 for the vandalized auto."

Substitute amendment adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder - 8.

Noes: Supervisor Walker - 1.

Absent: Supervisors Hongisto, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Trial Court Funding]
Resolution electing to become subject to the provisions of the State Trial Court Funding Program for the period July 1, 1990, through June 30, 1991. (Controller)

File 187-89-2, Resolution No. 830-89

(October 30, 1989 - Consideration continued to November 6, 1989; with pending amendment of the whole bearing same title which would allocate one third of the fund to Superior and Municipal Courts.)

After a period of discussion, Supervisor Gonzalez, seconded by Supervisors Alioto and Maher, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

The roll was then called on the pending amendment of the whole as shown above and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Recommendation of Public Works Committee

Consideration Continued

[Condominium Conversion Limitation]
Ordinance amending Subdivision Code, to modify the definition of conversion, to provide that the conversion of two-unit buildings is exempt from the code where the building is owner-occupied for one year prior to application for conversion, to extend the 200 unit annual limit on condominium conversions for four years, to clarify the definition of continuous ownership, and to exempt the conversion of stock cooperatives from the 200 unit annual limitation where 75 percent of the units have been continuously occupied by owners of record for three years prior to application for conversion. (Supervisors Kennedy, Hsieh)

File 126-89-3, Ordinance No.

(Amends Sections 1308, 1359, 1396.)

Supervisor Kennedy, seconded by Supervisor Nelder, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $100,000, Department of Social Services, for professional services (housing referral program for homeless people); placing $83,300 on reserve. (Controller)

File 101-89-41, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Government Funding]
Ordinance appropriating $63,670, Public Health - Central Office, for permanent salaries, miscellaneous and related mandatory fringe benefits, for the creation of four positions, for fiscal year 1989-90. (Controller)

File 101-89-44, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Ward - 1.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Department of Public Health, Central Office, reflecting the addition of four positions; companion measure to File 101-89-44. (Civil Service Commission)

File 102-89-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Ward - 1.

Consideration Continued

[Gift Acceptance]
Resolution authorizing the Department of Public Works to accept a cash gift of $5,000 from the India Basin Maintenance Association for the Adopt-A-Tree Program. (Finance Committee)

File 38-89-21, Resolution No.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Government Funding]
Ordinance appropriating $5,000, Public Works, for capital improvement project (Adopt-A-Tree Program), for fiscal year 1989-90. (Controller)

File 101-89-47, Ordinance No.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to November 13, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward 1.

Passed for Second Reading

[Public Health Contracts]
Ordinance amending Administrative Code, to permit the Director of Public Health to enter into agreements whereby persons providing services voluntarily at Department of Public Health facilities are deemed employees for purposes of the Tort Claims Act. (Health Commission)

File 97-89-47, Ordinance No.

(Amends Section 19A.22.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Possessory Interest - Delancey Street]
Ordinance finding that certain possessory interests of Delancey Street Foundation are sufficient security for the payment of possessory interest taxes thereon, and ordering that said possessory interest assessments be placed on the secured roll. (Supervisor Maher)

File 269-89-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted

[Redevelopment Agency Budget]
Resolution approving an amended budget for the Redevelopment Agency of the City and County of San Francisco for fiscal year 1989-1990. (Redevelopment Agency)

File 161-89-6, Resolution No. 839-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Public Hearing - Eminent Domain]
Motion scheduling a public hearing on December 4, 1989 at 3:00 p.m. to consider adopting a resolution of necessity in connection with a proposal to acquire by eminent domain Lots 16 and 19 in Assessor's Block 4622 and Lots 6, 7, 22 and 23 in Assessor's Block 4605 and Lots 7, 8, 12, 13 and 15 in Assessor's Block 4622 for the Open Space Program (India Basin). (Real Estate Department)

File 168-89-7

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Recommendations of Governmental Operations Committee

Adopted

[Telephone Pioneer Month]
Resolution declaring November 1 - 30, 1989, as Telephone Pioneer Month. (Supervisor Maher)

File 4-89-22, Resolution No. 838-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Permit]
Resolution granting revocable permission to the University of San Francisco to install underground vaults and conduit for telecommunications system across the 2100 Block of Fulton Street east of Parker Avenue, across Parker Avenue north of McAllister Street, and on Temescal Terrace from the south line of Turk Street; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-89 9, Resolution No. 837-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Permit]
Resolution granting revocable permission to Kaiser Foundation Hospital to install cassions to meet seismic safety requirements under the north sidewalk of O'Farrell Street between St. Joseph's Avenue and Lyon Street fronting Assessor's Block 1095, Lot 5; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-89-12, Resolution No. 836-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hongisto, Ward - 2.

[Permit]
Resolution granting revocable permission to California Jones Company to install four 4-inch diameter underground telecommunication conduits across Trinity Street between Bush and Sutter Streets to connect 101 Montgomery Street Building and 333 Bush Street Building; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-89-13, Resolution No. 835-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Recommendation of Oversight Committee

Consideration Continued

[Commendation]
Resolution commending Sheriff Michael Hennessey and the staff of the Sheriff's Department for their dedication to duty during the State

of Emergency following the earthquake on October 17, 1989. (Oversight Committee)

File 270-89-10, Resolution No.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to November 13, 1989.

After a period of discussion, Supervisor Gonzalez, seconded by Supervisors Hongisto and Walker, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

The roll was called on the pending motion to continue and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Hallinan, Hongisto, Kennedy - 3.

Absent: Supervisors Ward - 1.

From the Clerk

Adopted

[Commercial Condominium Project]
Motion approving final map of 2246-2250 Jerrold Avenue, a condominium project, being a resubdivision of Lot 19 in Assessor's Block 5230; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-23

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Condominium Project]
Motion approving final map of Museum Parc, 300 Third Street, a condominium project, being a resubdivision of Lot 174 in Assessor's Block 3751; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-24

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

SPECIAL ORDER - 3:00 P.M.

From the Clerk

Hearing Closed

[Public Hearing]
Hearing of persons interested in or objecting to the proposed vacation of a portion of the street area in order to construct an electrical utility box against City owned building at the intersection of Otis and Mission Streets.

File 198-89-5

(Pursuant to Board of Supervisors Resolution No. 754-89, approved October 4, 1989.)

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From Governmental Operations Committee
Without Recommendation

Passed for Second Reading

[Street Vacation]
Ordinance ordering vacation of a portion of the street area at the intersection of Otis and Mission Streets; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 198-89-5.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John O'Brien;
Tom Oshure;
Thomas Marsh.

Closed Session Rescheduled

Supervisor Gonzalez commented on recent incident of alleged police brutality at a demonstration held at the Salvadoran Consulate and inquired when the Human Services Committee will hold its hearing concerning police involvement at the October 6, 1989 protest demonstration.

In response to Supervisor Gonzalez's inquiry, Supervisor Alioto announced that the Human Services Committee of the Board of Supervisors will hold a hearing on November 30, 1989 to consider the October 6, 1989 protest demonstration by the AIDS Coalition to Unleash Power (ACT UP) group and the Police Department's involvement.

Supervisor Gonzalez, seconded by Supervisor Walker, moved to reschedule the closed session with the Chief of Police and President, Police Commission, from December 18 to December 4, 1989, to consider whether significant exposure to litigation exists as a result of police involvement in Castro District demonstration on October 6, 1989.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Ward - 1.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-45, Resolution No. 831-89

(Jim Foster, member, Health Commission, November 1 - 27; Frankie Gillette, member, Human Rights Commission, October 25 - November 5; May Jaber, member, Human Rights Commission, October 29 - November 8; Frank M. Jordan, Chief of Police, November 3 - 7; Maurice Mann, member, Retirement Board, October 31 - November 1; JoAnne Miller, member, Board of Education, November 4 - 5; Leland Yee, member, Board of Education, October 27 - 28, 1989.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

EMERGENCY CALENDAR

Amended; Consideration Continued

[Earthquake Emergency Permit Procedure]
((Ordinance establishing earthquake emergency building permit procedure to require the Departments of Public Works and City Planning to give first priority to and expedite the processing of permits to repair or replace structures damaged or destroyed by the October 17, 1989 earthquake; authorizing certain building code permit procedures and planning code provisions to be waived or modified; giving prior tenants first right to occupy structures repaired or replaced under this ordinance at the same rent subject to adjustment to ensure fair return to owner; authorizing Directors of Public Works and Real Estate to obtain additional space to accommodate increased permitting activity; finding of legislative emergency.)) (Supervisors Nelder, Alioto, Gonzalez)

Ordinance establishing earthquake emergency building permit procedure to require the city to expedite the processing of permits to repair or replace structures damaged or destroyed by the October 17, 1989 earthquake; authorizing certain permit procedures and planning code provisions to be waived or modified; establishing an earthquake emergency permit review board to review permit applications submitted pursuant to this ordinance; giving prior tenants first right to occupy structures repaired or replaced under this ordinance subject to rent control; finding of legislative emergency.

File 270-89-2, Ordinance No.

Supervisor Nelder, seconded by Supervisor Gonzalez, moved an amendment of the whole entitled "Ordinance establishing earthquake emergency building permit procedure to require the city to expedite the processing of permits to repair or replace structures damaged or destroyed by the October 17, 1989 earthquake; authorizing certain permit procedures and planning code provisions to be waived or modified; establishing an earthquake emergency permit review board to review permit applications submitted pursuant to this ordinance; giving prior tenants first right to occupy structures repaired or replaced under this ordinance subject to rent control; finding of legislative emergency."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hallinan, Maher, Ward - 3.

Supervisor Hallinan excused from Voting.

On advice of the City Attorney, Supervisor Hallinan requested to be excused from voting because of a conflict of interest.

Supervisor Walker, seconded by Supervisor Hongisto, moved to excuse Supervisor Hallinan from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to November 13, 1989 with instructions to the Clerk to send the proposed legislation to the City Planning Commission for review.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Excused: Supervisor Hallinan - 1.

Absent: Supervisors Maher, Ward - 2.

Finally Passed as Amended

[Tenant Evictions - Earthquake Damaged Buildings]
((Ordinance establishing moratorium on evictions of all tenants who are legal occupants of buildings which have suffered damage due to the earthquake of October 17, 1989; finding of legislative emergency.)) (Supervisors Nelder, Walker, Gonzalez)

<u>Ordinance concerning eviction of tenants from residential buildings damaged by the earthquake of October 17, 1989 permissible only as provided by state and local law; findings of legislative emergency</u>.

File 270-89-16.1, Ordinance No.

Supervisor Walker, seconded by Supervisor Gonzalez, moved an amendment of the whole entitled, "Ordinance concerning eviction of tenants from residential buildings damaged or suspected damaged by the earthquake of October 17, 1989 permissible only as provided by state and local law; findings of legislative emergency."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Finally passed as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Refused Final Passage; Rescinded;
Consideration Continued to Recessed Meeting

[Earthquake Emergency Procedure]
Ordinance establishing 90-day earthquake emergency procedure to require the owners of residential buildings posted for limited entry or suspected of containing structural damage to obtain an assessment of the building's condition within 10 days, to authorize the temporary displacement of tenants during this 10-day period, to require notice to tenants and posting of assessment reports, to authorize tenants to obtain an independent assessment of the building's condition, to require restoration of the building's life-safety systems and sanitation within 30 days, and to provide that tenants displaced from rent-controlled buildings retain protections under the rent ordinance; finding of legislative emergency. (Supervisors Walker, Hsieh, Gonzalez)

File 270-89-17, Ordinance No.

Supervisor Kennedy moved the following amendments:

amend page two, line three, after the word "encourage" by inserting "inspection and repair";

amend page two, line 19 after the word "entry" by inserting "("Limited Entry Building")";

amend page three, line six, after the word "service." by inserting "The Department shall make a good faith effort to comply with the City's Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise legislation.";

amend page three, line 14, after the word "visible" by inserting "and accessible";

amend page three, line 16, after the word "unsafe" by inserting "and a diagram of these areas,";

amend page three, line 24, after the word "give" by inserting "reasonable and timely";

amend page four, between lines two and three, by inserting "(3) A lay person's summary of Section 3 of this ordinance." and renumber previous "(3)" to "(4)";

amend page four, line 19 after "condition." by inserting "Owner shall fully cooperate with the civil engineer, structural engineer or architect retained by the tenant.".

Motion lost for want of a second.

The roll was called on the pending legislation and it was refused final passage by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Maher, Ward - 2.

Supervisor Nelder, seconded by Supervisor Hsieh, moved to rescind the previous vote.

Motion to rescind adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Membership in Organization]
Ordinance amending Administrative Code by amending Section 16.6-29 to add organizations onto the membership list of the Employees Retirement System. (Supervisor Maher presented.) Referred to Finance Committee.

File 97-89-52

[P.O.S.T. Reimbursement, D.A. Investigators]
Ordinance amending Administrative Code by amending Section 16.9-2 relating to peace officer training, authorizing application for state aid for the training of investigators of the District Attorney's office bestowed by the California Commission on Peace Officer Standards and Training. (Supervisor Nelder presented.) Referred to Governmental Operations Committee.

File 97-89-53

[Government Funding]
Ordinance appropriating $79,300, Chief Administrative Officer, for capital improvement project (City's Seismic Retrofit Program). (Supervisor Hsieh presented.) Referred to Finance Committee.

File 101-89-53

Consideration Continued to Recessed Meeting

[Temporary Rent Reductions Due to Loss of Utilities]
Ordinance providing that restoring rent levels after temporary rent reductions for tenants due to loss of utilities as a result of the earthquake of October 17, 1989 does not constitute a rent increase for purposes of the Residential Rent Stabilization and Arbitration Ordinance; findings of legislative emergency.

File 270-89-25, Ordinance No.

Supervisors Walker, Nelder, Alioto, Gonzalez presented for final passage.

Supervisor Walker, seconded by Supervisor Nelder, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

In response to Supervisor Britt's inquiry whether Supervisor Hallinan has a conflict on the need arose motion or on the pending ordinance itself, Deputy City Attorney Ted Lakey responded there is no conflict to his knowledge.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Referred to Committee

[Temporary Rent Reductions Due to Earthquake Damage]
Ordinance providing that restoring rent levels after temporary rent reductions for tenants due to damage or loss of utilities as a result of the earthquake of October 17, 1989 does not constitute a rent increase for the purposes of the Residential Rent Stabilization and Arbitration Ordinance; findings of legislative emergency. (Supervisor Kennedy presented.) Referred to Earthquake Recovery Committee.

File 270-89-26

[Emergency Seismic Safety Ordinance]
Ordinance establishing for a 90-day period minimum seismic safety requirements for repair, replacement or reconstruction of certain buildings structurally damaged in the earthquake and located in

special soils areas; finding of legislative emergency. (Supervisor Britt presented.) Referred to Earthquake Recovery Committee.

File 270-89-27

[May 1990 California Water Awareness Campaign]
Resolution sponsoring, supporting and participating in the May 1990 California Water Awareness Campaign. (Supervisor Kennedy presented.) Referred to Public Works Committee.

File 4-89-24

Adopted

[Gift Acceptance, San Francisco Fire Department]
Resolution amending Resolution No. 804-89 authorizing the acceptance of a gift of $300,000 in cash offered by a private donor to the San Francisco Fire Department specifically for the purchase of a second fireboat.

File 38-89-20, Resolution No. 809-89

Supervisor Britt presented for immediate adoption.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted

[Gift Acceptance, Earthquake Relief]
Resolution authorizing acceptance of gifts offered by Hills Brothers Coffee, Inc., Cellular One Company, and O'Brien and Kreitzberg to support city services providing earthquake relief and recovery and expressing appreciation on behalf of the City and County of San Francisco.

File 38-89-22, Resolution No. 832-89

Supervisor Walker presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Hsieh, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[San Francisco Goddess of Democracy Project]
Resolution expressing the Board of Supervisors' continued support for the San Francisco Goddess of Democracy project.

File 240-89-3, Resolution No. 833-89

Supervisors Hsieh and Walker presented for immediate adoption.

Supervisor Hsieh, seconded by Supervisor Kennedy, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Referred to Committee

[Street Artist]
Resolution designating temporary Downtown area selling spaces for street artists certified by the Art Commission, for the Christmas

Season, 1989, beginning on December 4 and ending on December 31, 1989. (Supervisor Walker presented.) Referred to Public Works Committee with request it be considered at the November 21, 1989 meeting.

File 245-89-3

[Zoo Advisory Committee Extension]
Resolution extending the existence of the Zoo Advisory Committee and the due date of its report until January 15, 1990.

File 248-89-3

Supervisor Nelder presented for immediate adoption.

Supervisor Nelder, seconded by Supervisor Walker, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan,Hsieh, Kennedy, Nelder, Walker - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Hongisto, Ward - 2.

On objection by Supervisor Maher, subject legislation referred to Rules Committee.

[Building Permit Extension]
Resolution urging the Mayor to urge the Department of Public Works and the Department of City Planning to extend all building, electrical and plumbing permits for an additional ninety days past their expiration date. (Supervisor Maher presented.) Referred to Public Works Committee.

File 270-89-28

[Building, Electrical and Plumbing Permit Extension]
Resolution urging the Mayor to urge the Department of Public Works and the Department of City Planning to extend all building, electrical and plumbing permits for an additional six months past their expiration date. (Supervisor Maher presented.) Referred to Public Works Committee with request it be heard on November 13, 1989.

File 270-89-29

[Embarcadero Freeway Demolition]
Resolution declaring policy of the City and County to support demolition of the Embarcadero Freeway in the interest of public safety. (Supervisors Maher and Alioto presented.) Referred to Public Works Committee with request it be heard on November 13, 1989.

File 272-89-1

[Multi-Decked Freeways]
Resolution supporting the demolition of the Embarcadero Freeway and opposing any new multi-decked freeways in San Francisco. Referred to Public Works Committee.

File 272-89-2

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.500 relating to boards and commissions that would reduce the number of votes required for the board to take action on legislation when members of the board have been prohibited from voting on the legislation because of a conflict of interest. (Supervisor Walker presented.) Referred to Rules Committee.

File 273-89-1

Requests for Hearings

File 40-89-16.1, By Supervisor Gonzalez: To consider progress report of the Task Force on the Residential Permit Parking Program. Referred to Governmental Operations Committee with request it be considered at the November 13, 1989 meeting.

File 270-89-4.1, By Supervisor Hsieh: To consider results of the City's inspections of unreinforced masonry buildings subsequent to the October 17, 1989 earthquake. Referred to Public Works Committee.

File 270-89-22.1, By Supervisors Walker, Nelder, Alioto: To consider earthquake recovery legislation and reports from departments on their immediate and long-range needs related to recovery from the October 17, 1989 earthquake. Referred to Earthquake Recovery Committee with request it be heard on November 8, 1989.

File 270-89-22.2, By Supervisor Walker: To consider emergency and immediate adoption legislation concerning earthquake recovery. Referred to Earthquake Recovery Committee with request it be heard on November 13, 1989.

File 270-89-30, By Supervisors Nelder and Walker: To consider recognizing the responses of various departments to the emergency caused by the October 17, 1989 earthquake and thanking all employees for their outstanding contributions. Referred to Earthquake Recovery Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that City Attorney draft appropriate legislation to provide minimum prevailing wage to be included in the contract document 68677 and classification of ironworker and operating engineer be included in the contract designating the work to be performed by these classifications with stipulation that the prevailing wage determination for these two classifications is determined by the Director of Industrial Relations.

By Supervisor Gonzalez, that follow-up letter be sent to the Director of Public Works inquiring whether trees on Potrero Avenue, between 24th and 26th Streets, can be trimmed since their overgrowth has created many public complaints to various City officials.

By Supervisor Gonzalez, that letter be sent to Director of Health inquiring whether legislation authored by Supervisor Britt requiring all City employees receive AIDS education and prevention training has been implemented by all City departments.

By Supervisor Kennedy, that letter of inquiry be sent to Chief of Fire to determine whether San Francisco has the capability of containing and fighting fires in San Francisco with an aerial attack.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works to determine the progress of underground wiring in the City and whether, because of the earthquake, plans are contemplated to speed up the undergrounding of wires for the protection and safety of our citizens especially in areas surrounding schools where children are asked to go in the event of earthquake or fire.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Public Utilities Commission, to determine what action has been taken concerning an incident on the cable car on Saturday, October 28, 1989 involving a passenger who was requested to leave the car.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Public Utilities Commission, to determine whether consideration has been given to implementing an electronic homebanking system for Water Department customers.

By Supervisor Nelder, that City Attorney advise on the classification of driving license required to drive a 26,001 pound GVW vehicle and what the liability of the City is if the City assigns drivers to such vehicles who don't have a Class A or B license to include the following: accident reports concerning such vehicles since January 1989; federal, state or city laws or rules or memoranda of understanding requiring the dissemination of information stating to what extent employees hauling raw sewage may be exposed to contagion of other employees, the nature of materials handled or hauled or the exposure of machinery used by or cleaned by the employees.

By Supervisor Nelder, that letter of inquiry be sent to Director of Public Works requesting report on the methods used to ensure awareness of employees exposed to raw sewage or to other employees who may have infections or contagious diseases due to such exposure and any methods employed to educate all employees in methods of prevention, cleanliness, safety and health precautions.

By Supervisor Nelder, that Budget Analyst report on the costs entailed in use of "crew boxes" for job site service in Department of Street and Sewer Repair as opposed to cribbing trucks currently in use, including basic purchase costs, employee service or lost time driving to and from job sites, insurance, etc.

By Supervisor Hallinan, that City Attorney advise on the status of the issue of rent for encroachment permits.

Motion to Recess

Supervisor Gonzalez, seconded by Supervisor Walker, moved that the Board recess to reconvene at 11:00 a.m., Tuesday, November 7, 1989.

Motion to recess adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Maher, Ward - 3.

RECESS

The Board, at the hour of 6:05 p.m., recessed to reconvene on Tuesday, November 7, 1989 at 11:00 a.m.

John L. Taylor, Clerk

JOURNAL OF PROCEEDINGS

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

Tuesday, November 7, 1989 - 11:00 a.m.

The Board of Supervisors of the City and County of San Francisco met in recessed session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 11:14 a.m. On call of the roll, the following Supervisors were noted present;

Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Note absent at first roll call:

Supervisors Gonzalez, Hongisto, Ward - 3.

Quorum present.

Supervisor Gonzalez was noted present at 11:15 a.m.

Supervisor Hongisto was noted present at 11:25 p.m.

Supervisor Ward excused, on official leave of absence.

Consideration resumed;
Finally Passed as Amended

[Earthquake Emergency Procedure]
Ordinance establishing 90-day earthquake emergency procedure to require the owners of residential buildings posted for limited entry or suspected of containing structural damage to obtain an assessment of the building's condition within 10 days, to authorize the temporary displacement of tenants during this 10-day period, to require notice to tenants and posting of assessment reports, to authorize tenants to obtain an independent assessment of the building's condition, to require restoration of the building's life safety systems and sanitation within 30 days, and to provide that tenants displaced from rent-controlled buildings retain protections under the rent ordinance; finding of legislative emergency. (Supervisors Walker, Hsieh, Gonzalez)

File 270-89-17, Ordinance No. 403-89

Supervisor Walker, seconded by Supervisor Nelder, moved an amendment of the whole bearing same title.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Finally passed as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Consideration Resumed; Finally Passed

[Temporary Rent Reductions Due to Loss of Utilities]
Ordinance providing that restoring rent levels after temporary rent reductions for tenants due to loss of utilities as a result of the earthquake of October 17, 1989 does not constitute a rent increase for purposes of the Residential Rent Stabilization and Arbitration Ordinance; findings of legislative emergency. (Supervisors Walker, Nelder, Alioto, Gonzalez)

File 270-89-25, Ordinance No. 402-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Adela C. Gantner (Supervisor Walker)
Minnie Black (Supervisor Kennedy)
Yvonne Lindo Brown (Supervisor Kennedy)

File 2-89-45

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 11:27 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on APR 2 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 46

Monday, November 13, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
JUN 4 1990
SAN FRANCISCO
PUBLIC LIBRARY

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 13, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Hallinan, Hongisto, Kennedy, Maher, Walker, Ward - 8.

Noted absent at first roll call:

Supervisors Gonzalez, Hsieh, Nelder - 3.

Quorum present.

Supervisor Gonzalez was noted present at 2:17 p.m.

Supervisor Hsieh was noted present at 2:18 p.m.

Supervisor Nelder was noted present at 2:15 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Maher, moved that the Journal of Proceedings for Monday, July 17, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Maher, Nelder, Walker, Ward - 8.

Absent: Supervisors Gonzalez, Hsieh, Kennedy - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $100,000, Department of Social Services, for professional services (housing referral program for homeless people); placing $83,300 on reserve. (Controller)

File 101-89-41, Ordinance No. 422-89

Finally passed.

[Government Funding]
Ordinance appropriating $71,000, Public Health - CMHS Forensic, for capital improvement project (Hall of Justice - Jail No. 1), for fiscal year 1989-90. (Controller)

File 101-89-46, Ordinance No. 420-89

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Kenneth A. Troche v. Kenneth H. McDermott, et al., upon receipt of the sum of $12,500; and authorizing dismissal of said complaint. (City Attorney)

File 46-89-17, Ordinance No. 419-89

(San Mateo Superior Court No. 330970.)

Finally passed.

[Public Health Contracts]
Ordinance amending the Administrative Code, to permit the Director of Public Health to enter into agreements whereby persons providing services voluntarily at Department of Public Health facilities are deemed employees for purposes of the Tort Claims Act. (Health Commission)

File 97-89-47, Ordinance No. 418-89

(Amends Section 19A.22.)

Finally passed.

[Possessory Interest - Delancey Street]
Ordinance finding that certain possessory interests of Delancey Street Foundation are sufficient security for the payment of possessory interest taxes thereon, and ordering that said possessory interest assessments be placed on the secured roll. (Supervisor Maher)

File 269-89-1, Ordinance No. 417-89

Finally passed.

Recommendations of Governmental Operations Committee

Adopted

[Grant - State Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a grant of $600,000 from the California Department of Health Services to continue funding of the AIDS Drug Program (formerly the AZT Drug Program). (Mayor)

File 146-89-64, Resolution No. 874-89

Adopted.

[Grant - Federal]
Resolution authorizing the Department of Public Health, Community Substance Abuse Services to apply for, accept and expend a grant up to the amount of $1,934,972 from the United States Department of Health and Human Services, Alcohol, Drug Abuse and Mental Health Administration, Office of Substance Abuse Prevention for support, outreach and substance services for pregnant and postpartum women. (Mayor)

File 146-89-65, Resolution No. 873-89

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Social Services to apply for, accept and expend a second $125,000 grant from the State Department of Social Services for the second year of a pilot project established under SB 2076 to recruit foster parents for HIV Positive and AIDS diagnosed children up to two years of age. (Department of Social Services)

File 153-89-2, Resolution No. 872-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Maher, Nelder, Walker, Ward - 8.

Absent: Supervisors Gonzalez, Hsieh, Kennedy - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $63,670, Public Health - Central Office, for permanent salaries, miscellaneous and related mandatory fringe benefits, for the creation of four positions, for fiscal year 1989-90. (Controller)

File 101-89-44, Ordinance No. 416-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Hsieh, Kennedy - 2.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Department of Public Health, Central Office, reflecting the addition of four positions; companion measure to File 101-89-44. (Civil Service Commission)

File 102-89-17, Ordinance No. 421-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

Adopted

[Gift Acceptance]
Resolution authorizing the Department of Public Works to accept a cash gift of $5,000 from the India Basin Maintenance Association for the Adopt-A-Tree Program. (Finance Committee)

File 38-89-21, Resolution No. 862-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $5,000, Public Works, for capital improvement project (Adopt-A-Tree Program), for fiscal year 1989-90. (Controller)

File 101-89-47, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-16, Resolution No. 844-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward - 4.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-17, Resolution No. 845-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward - 4.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H40 Battalion Chief, Fire Suppression, Fire Department. (Fire Department).

File 31-89-18, Resolution No. 846-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward 4.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H50 Assistant Chief, Fire Suppression, Fire Department. (Fire Department).

File 31-89-19, Resolution No. 847-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward - 4.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H50 Assistant Chief, Fire Suppression, Fire Department. (Fire Department).

File 31-89-20, Resolution No. 848-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward - 4.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H40 Battalion Chief, Fire Suppression, Fire Department. (Fire Department).

File 31-89-21, Resolution No. 849-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward 4.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-22, Resolution No. 850-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward - 4.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-23, Resolution No. 851-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward - 4.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H30 Captain, Fire Suppression, Fire Department. (Fire Department).

File 31-89-24, Resolution No. 852-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 7.

Noes: Supervisors Britt, Hongisto, Kennedy, Ward - 4.

Recommendation of Public Works Committee

Consideration Continued

[Condominium Conversion Limitation]
Ordinance amending Subdivision Code, to modify the definition of conversion, to provide that the conversion of two-unit buildings is exempt from the code where the building is owner-occupied for one year prior to application for conversion, to extend the 200 unit

annual limit on condominium conversions for four years, to clarify the definition of continuous ownership, and to exempt the conversion of stock cooperatives from the 200 unit annual limitation where 75 percent of the units have been continuously occupied by owners of record for three years prior to application for conversion. (Supervisors Kennedy, Hsieh)

File 126-89-3, Ordinance No.

(Amends Sections 1308, 1359, 1396.)

Request Granted

Supervisor Kennedy requested letter be sent to the City Attorney requesting amendments to subject legislation be prepared, based on recommendations of the City Planning Commission, for Board consideration at its November 20, 1989 meeting.

No objection and Clerk directed to comply.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to November 20, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Recommendation of Oversight Committee

Adopted

[Commendation]
Resolution commending Sheriff Michael Hennessey and the staff of the Sheriff's Department for their dedication to duty during the State of Emergency following the earthquake on October 17, 1989. (Oversight Committee)

File 270-89-10, Resolution No. 863-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Recommendation of Human Services Committee

Adopted as Amended

[Parking Amnesty and Boot Implementation Program]
Resolution memorializing the Municipal Court to implement a 30-day Amnesty Program for unpaid parking citations and urging the Mayor to urge the Police Commission or the Parking and Traffic Commission to

direct the Police Department or Traffic Enforcement Personnel to implement a Boot Immobilization Program on cars, after the amnesty period expires for a period of twelve months. (Supervisors Hsieh, Kennedy)

File 241-89-3, Resolution No. 905-89

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to amend title, line 6, after the word "expires" by inserting "for a period of twelve months"; and to amend page three, between lines five and six by inserting "FURTHER RESOLVED, That the Boot Immobilization Program shall terminate twelve months after implementation unless extended by the Board of Supervisors.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Ward - 8.

Noes: Supervisors Britt, Nelder, Walker - 3.

Recommendations of Governmental Operations Committee

Passed for Second Reading as Amended

[Film and Video Arts Commission]
Ordinance amending Administrative Code authorizing the Office of the Mayor to enter into use agreements with film and other visual arts companies for use of City Property, personnel and facilities and properties and requiring such companies to enter into use agreements, by creating a San Francisco Film and Video Arts Commission, by establishing the duties and authority of the commission, and by replacing the Mayor's Office Film Coordinator with an Executive Director appointed by the commission. (Supervisors Alioto, Gonzalez, Walker)

File 97-89-40, Ordinance No.

(Amends Chapter 57.)

Supervisor Alioto, seconded by Supervisor Maher, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Kennedy - 2.

Adopted

[Art Commission]
Resolution urging the Mayor to urge the Art Commission to invite the Chair of the Film and Video Arts Commission to attend the meetings of the Art Commission. (Supervisor Alioto)

File 97-89-40.1, Resolution No. 871-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Hongisto, Kennedy - 2.

Consideration Continued

[Government Funding]
Ordinance rescinding $71,600 from services of other departments-miscellaneous departments, division overhead, professional services and other contractual services, Department of Social Services, Public Health-Central Office, Public Works-Engineering, Recreation and Park Commission Administration/Business Office, Office of the Mayor and Public Works-Water Pollution Control for fiscal year 1989-90 (work improvement project). (Governmental Operations Committee)

File 101-89-49, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Walker, moved to continue consideration to November 20, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 8.

Absent: Supervisors Alioto, Hongisto, Kennedy - 3.

<u>From Governmental Operations Committee</u>
<u>Without Recommendation</u>

Finally Passed

[Street Vacation]
Ordinance ordering vacation of a portion of the street area at the intersection of Otis and Mission Streets; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 198-89-5.1, Ordinance No. 423-89

Finally passed by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 8.

Absent: Supervisors Alioto, Hongisto, Kennedy - 3.

From the Clerk

Adopted

[Delinquent Transit Impact Fee]
Resolution confirming report of delinquent payment of fees submitted by the General Manager of the Public Utilities Commission for collection of the Transit Impact Development Fee (TIDF) pursuant to the provisions of Section 38.11 of the Administrative Code, and creating special assessments and liens based thereon.

File 159-89-1, Resolution No. 870-89

(Property	Net Amount Due
34 Townsend Street	$ 228,777.20.)

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Alioto, Kennedy - 2.

NEW BUSINESS

Recommendations of Governmental Operations Committee

Passed for second reading

[Regulating Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1499 changing the official width of sidewalk on various streets within the South Beach Redevelopment Project Area; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-89-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

[Grant of Easement]
Ordinance authorizing grant of 1.028 acre storm drain easement over Water Department Parcel 69 in Alameda County to the Alameda County Flood Control and Water Conservation District. (Real Estate Department)

File 82-89-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Adopted as Amended

[Parking of Vehicles]
Resolution extending boundaries of Residential Permit Parking Area "O" in the West Portal/Saint Francis Wood area and adding Nineteenth, Twentieth, Twenty-First, and Twenty-Second Avenues (between Taraval and Ulloa Streets), to the list of streets upon which time limitations shall apply <u>for a period of eighteen months</u>. (Department of Public Works)

File 40-89-12, Resolution No.

Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to amend title, line 5, after the word "apply" by inserting "for a period of eighteen months"; and to amend page three, line 15 by adding "FURTHER RESOLVED, That the revised boundaries specified herein shall terminate eighteen months after implementation."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Walker, Ward - 8.

Noes: Supervisors Britt, Nelder - 2.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Lease of Real Property]
Resolution authorizing lease of real property at 1155 Market Street, for Controller's Office, Information Services Division (ISD). (Real Estate Department)

File 64-89-33, Resolution No. 869-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Gang Prevention Grant]
Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend funds in the amount of $822,029 made available through the Department of Health and Human Services for a project entitled "San Francisco Gang Prevention Program" and agreeing to provide in kind match in the amount of $357,850. (Mayor)

File 68-89-12, Resolution No. 861-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Substance Abuse Services to apply for, accept and expend a grant up to the amount of $600,000 from the U.S. Department of Health and Human Services/Health Resource Service Administration for integrated community based primary alcohol and drug treatment services. (Mayor)

File 146-89-66, Resolution No. 868-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Public Employees' Retirement System]
Resolution implementing the "pick-up" of employee contributions to the Public Employees' Retirement System as authorized by Section 414(h)(2) of the Internal Revenue Code. (Supervisor Britt)

File 154-89-2, Resolution No. 867-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of appeal from the decision of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) letter dated, October 12, 1989 denying Marcus Gordon of the Mission Economic and Cultural Association application for approval of temporary closing of various streets from 5:00 a.m. on Saturday, May 26, 1990, to 5:00 a.m., Sunday, May 27, 1990 for Carnaval San Francisco 1990 Celebration.

File 42-89-38

The privilege of the floor was granted to the following persons:

Marcus Gordon, appellant;
Lorraine Yoeman;
Robert Olga;
Representative, North Mission Association.

From the Clerk

Adopted

[Street Closing]
Resolution authorizing temporary closing of portions of various streets for the Carnaval San Francisco 1990 Celebration.

File 42-89-38, Resolution No. 866-89

(Harrison Street, between Sixteenth and Twenty-first Streets; Seventeenth, Eighteenth, Nineteenth and Twentieth Streets, between the east sides of Folsom and Alabama Streets; Mariposa Street, between Harrison Street and the east side of Alabama Street; Treat Avenue, between Sixteenth and Mistral Streets; Mistral Street, between Treat Avenue and Harrison Street; and Alabama Street, between Sixteenth and Twenty-first Streets, from 5:00 a.m. on Saturday, May 26, 1990, to 5:00 a.m., Sunday, May 27, 1990.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing
Hearing of appeal from the decision of the City Planning Commission by its Resolution No. 11758, dated September 21, 1989, disapproving a request for landmark designation of the Alfred G. Hanson Residence at 126 - 27th Avenue as a landmark, including all of Lots 49 and 50 in Assessor's Block 1332 as a landmark site.

File 90-89-6

(Appeal filed October 19, 1989.)

The following persons were sworn in and granted privilege of the floor:

Appellants:
Mark P. Ryser, San Francisco Architectural Heritage;
Jean E. Kortum, President, Landmark Advisory Board;
Loren Brinker;
Bev Klein;
Jill Learner Hallinan;
Robert Denson, 131 27th Avenue;
Willie Ray;
Ann Bloomfield;
Erwin Leff, 128 27th Avenue.

Respondents:
Vincent Marsh, Landmark Advisory Board;
Jack Wholey, representing property owner;
Mary Haig, architect;
Bob Passmore, representing City Planning Commission and City Planning Department.

From the Clerk

Tabled

(Only one of the following two motions should be adopted.)

[Landmark Appeal]
Motion approving decision of the City Planning Commission by its resolution No. 11758, denying a request for landmark designation of the Alfred G. Hanson Residence at 126 27th Avenue as a landmark, including all of lots 49 and 50 in Assessor's Block 1332 as a landmark site.

File 90-89-6.3

Supervisor Nelder, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted

[Landmark Appeal]
Motion disapproving decision of the City Planning Commission by its resolution No. 11758, denying a request for landmark designation of the Alfred G. Hanson Residence at 126 27th Avenue as a landmark, including all of lots 49 and 50 in Assessor's Block 1332 as a landmark site.

File 90-89-6.1

Supervisor Nelder, seconded by Supervisor Walker, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Noes: Supervisor Kennedy - 1.

Passed for Second Reading

[Landmarks]
Ordinance designating the Alfred G. Hanson residence at 126 27th Avenue as a landmark pursuant to Article 10 of the City Planning Code. (City Planning Commission)

File 90-89-6.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Kennedy - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider whether public interest and necessity require the City and County of San Francisco to acquire by eminent domain the property described as Assessor's Block No. 2050A, Lot 6 in San Francisco for the Open Space Program (Rock Outcropping).

File 168-89-3.2

The Privilege of the floor was granted to the following:

Steve Kirsch;
Frank Henderson;
Andrew Butler;
James Kindregan;
Alice Pinney;
Greg Gar;
Eugene Ivanhoe;
Ed Tinnebaum;
Evelyn Wilson;
Jacob Say;
R. J. Barron;
John Bardis;
Pat Langdell;
Jean Lochan;
Sidney Pine.

From Finance Committee Without Recommendation

Adopted

[Eminent Domain]
Resolution authorizing acquisition of Lot 6 in Assessor's Block 2050A by eminent domain for the Open Space Program (Rock outcropping located on 14th Avenue between Ortega and Pacheco Streets); and to adopt findings pursuant to City Planning Code Section 101.1.

File 168-89-3.1, Resolution No. 865-89

(Exempt from environmental review.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

COMMITTEE REPORTS

From Finance Committee

Adopted

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H22 Lieutenant, Bureau of Fire Prevention, Fire Department. (Fire Department)

File 31-89-25, Resolution No. 853-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Walker, Ward 8.

Absent: Supervisors Kennedy, Maher, Nelder - 3.

[Employee Replacement]
Resolution approving immediate filling of vacated position of one H22 Lieutenant, Bureau of Fire Prevention, Fire Department. (Fire Department)

File 31-89-26, Resolution No. 854-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Walker, Ward - 8.

Absent: Supervisors Kennedy, Maher, Nelder - 3.

From Governmental Operations Committee

Passed for Second Reading

[Contracts, $50,000 - $10 million]
Ordinance amending Administrative Code, raising from $50,000 to $10 million the dollar amount specified in paragraph 3 of Charter Section 7.200 for the award of public works and purchasing contracts; requiring that public works and purchasing contracts in excess of $50,000 and not exceeding $10 million be awarded in accordance with the procedures of the Administrative Code, including Chapter 12D. (Supervisor Kennedy)

File 97-89-45, Ordinance No.

(Adds Section 6.29-1, 6.29-2, 21.11-1 and 21.11-2.)

Supervisor Gonzalez presented as a recommendation of Governmental Operations Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

From Public Works Committee

Adopted

[Permits]
Resolution urging the Mayor to urge the Department of Public Works and the Department of City Planning to extend all building, electrical and plumbing permits for an additional six months past their expiration date. (Supervisor Maher)

File 270-89-29, Resolution No. 864-89

Supervisor Kennedy presented as a recommendation of Public Works Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Consideration Continued

[Embarcadero Freeway]
Resolution declaring policy of the City and County of San Francisco to support demolition of the Embarcadero Freeway. (Supervisor Maher)

File 272-89-1, Resolution No.

Supervisor Kennedy presented as a recommendation of Public Works Committee.

Supervisor Walker, seconded by Supervisor Kennedy, moved to continue consideration to November 20, 1989.

After a period of discussion, Supervisor Gonzalez, seconded by Supervisors Ward and Maher, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

The roll was then called on the motion to continue and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted

[Street Artist]
Resolution designating temporary Downtown area selling spaces for street artists certified by the Art Commission, for the Christmas Season, 1989, beginning on November 24, 1989 and ending on December 31, 1989.

File 245-89-3, Resolution No.

Supervisor Kennedy presented as recommendation of Public Works Committee.

Supervisor Kennedy, seconded by Supervisor Maher, moved that the Board finds the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

From Special Earthquake Recovery Committee

Finally Passed as Amended

[Earthquake Seismic Safety Ordinance]
Ordinance establishing for a 90-day period minimum seismic safety requirements for repair, replacement or reconstruction of certain buildings structurally damaged in the earthquake and located in special soils areas; finding of legislative emergency. (Supervisor Britt)

File 270-89-27, Ordinance No. 415-89

Supervisor Walker presented as a recommendation of Earthquake Recovery Committee.

Supervisor Walker, seconded by Supervisor Alioto, moved to amend page six, between lines five and six, by adding the following: "(f) Exemptions. The provisions of this ordinance shall not apply to buildings otherwise governed by this ordinance that have either been designated as landmark buildings by the City and County of San Francisco, or that have brick foundations.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 10.

Absent: Supervisor Maher - 1.

Finally passed as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Jeff Carter;
Leonard Quinn;
Tom O'Shure;
Edith McMillian;
John Bardis;
Sue Hestor;
Joe O'Donaghue;
Sandy Bremer.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-46, Resolution No. 855-89

(Willie B. Kennedy, member, Board of Supervisors, November 10 - 13; Allen C. Haile, President, Social Services Commission, November 7 - 11, November 30 - December 2 and December 4 - 16; Stanley Herzstein, member, Commission on the Aging, November 6 - 10 and 16 - 20; Michael Hennessey, Sheriff, December 20 - 29; Frank M. Jordan, Chief of Police, November 3 - 7; Harry S. Parker, III, Director of the Fine Arts Museums, November 9 - 12; Carlota del Portillo, member, Civil Service Commission, October 26 - November 1; Louise Renne, City Attorney, November 8 - 10, 1989.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Page Street; providing for Municipal Railway reimbursement. (Supervisor Hallinan)

File 42-89-40, Resolution No. 859-89

(Page Street, between Gough and Franklin Streets, on Sunday, November 26, 1989, and on Sunday, December 17, 1989, from 11:00 a.m. to 2:00 p.m. for skateboard demonstrations)

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward 11.

EMERGENCY CALENDAR

Finally Passed as Amended

(Supervisor Hallinan Excused From Voting)

[Earthquake Emergency Permit Procedure]
((Ordinance establishing earthquake emergency building permit procedure to require the city to expedite the processing of permits to repair or replace structures damaged or destroyed by the October 17, 1989 earthquake; authorizing certain permit procedures and planning code provisions to be waived or modified; establishing an earthquake emergency permit review board to review permit applications submitted pursuant to this ordinance; giving prior tenants first right to occupy structures repaired or replaced under this ordinance subject to rent control; finding of legislative emergency.)) (Supervisors Nelder, Alioto, Gonzalez)

Ordinance establishing Earthquake Emergency Building Permit Procedure to require the city to expedite the processing of permits to repair or replace residential structures damaged or destroyed by the October 17, 1989 Earthquake; authorizing certain permit procedures and planning code provisions to be waived or modified; ((Allowing legalization of illegal units under certain conditions)) establishing an earthquake emergency permit review committee to review permit applications submitted pursuant to this ordinance; giving prior tenants first right to occupy buildings repaired or replaced under this ordinance subject to rent control; finding of legislative emergency.

File 270-89-2, Ordinance No. 414-89

Supervisor Nelder, seconded by Supervisor Walker, moved an amendment of the whole entitled "Ordinance establishing earthquake emergency building permit procedure to require the City to expedite the processing of permits to repair or replace residential structures damaged or destroyed by the October 17, 1989 earthquake; authorizing certain permit procedures and planning code provisions to be waived or modified; allowing legalization of illegal units under certain conditions; establishing an earthquake emergency permit review committee to review permit applications submitted pursuant to this ordinance; giving prior tenants first right to occupy buildings repaired or replaced under this ordinance subject to rent control; finding of legislative emergency.".

Supervisor Nelder, seconded by Supervisor Walker, moved to amend the pending amendment of the whole by amending page four, line three by replacing "Fire Marshall" with "Chief of Fire Department or his or her designee" and change "Fire Marshall" to "Fire Chief" wherever appropriate.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to further amend the pending amendment of the whole as follows:

amend page two, line eight, after the word "Earthquake" insert "as certified by a civil engineer, structural engineer, or architect pursuant to Ordinance No. 403-89";

amend page two, line 13 by replacing "structure" with "building";

amend page two, line 27, after the word "clear" insert "and convincing";

amend page two, line 28, after the word "cause" insert "not to include ignorance of this ordinance";

amend page three, lines four and five, after the word "repair" delete "the structure or part thereof" and replace "damaged" with "damaged";

amend page four, line 13, after the word "necessary" inert "and required"; and

amend page six, line eight, after "(5)" insert "working" days.

At the request of Supervisor Nelder, the President directed the portion of the amendments relating to civil engineer, structural engineer or architect and the remainder of the amendments be considered seriatim.

The roll was called on the proposed amendment to page two, line eight, after the word "Earthquake" insert "as certified by a civil engineer, structural engineer, or architect pursuant to Ordinance No. 403-89" and it was refused adoption by the following vote:

Ayes: Supervisors Hsieh, Kennedy, Nelder, Ward - 4.

Noes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Maher, Walker - 6.

Excused: Supervisor Hallinan - 1.

The roll was called on the remainder of the amendments and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Excused: Supervisor Hallinan - 1.

Supervisor Hongisto, seconded by Supervisor Kennedy, moved to further amend the pending amendment of the whole on page three, lines 13 thru 21 by deleting the following sentences starting with "In addition, any unit in a damaged or unsafe building" and ending with "Arbitration Ordinance."

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

Noes: Supervisors Alioto, Britt, Gonzalez, Nelder, Walker - 5.

Excused: Supervisor Hallinan - 1.

Supervisor Kennedy, seconded by Supervisor Maher, moved to further amend the pending amendment of the whole on page three, line 30 by adding the following: "Notice of application shall be posted on the date of submittal on the property by posting an enlarged copy of the full application and an outline of the expedited procedure."

Motion to amend adopted by the following vote:

Ayes: Supervisors Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 7.

Noes: Supervisors Alioto, Britt, Walker - 3.

Excused: Supervisor Hallinan - 1.

Supervisor Hongisto, seconded by Supervisor Hsieh, moved to amend page four, line nine, after "seismic safety" by inserting "." and deleting remaining sentences.

After a period of debate, there being no objection, Supervisor Hongisto withdrew his amendment.

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to further amend the pending amendment of the whole on page four, line eight, after the words "Fire Code" insert "procedural".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10

Excused: Supervisor Hallinan - 1.

Supervisor Hongisto, seconded by Supervisor Kennedy, moved to further amend the pending amendment of the whole on page three, lines 13 thru 21 by deleting language relating to legalization of illegal unit. (Title amended accordingly.)

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Excused: Supervisor Hallinan - 1.

Finally passed as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Excused: Supervisor Hallinan - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Earthquake Emergency Relief Fund]
Ordinance amending Administrative Code by amending Section 10.117-90 to provide that interest earned from the Mayor's Earthquake Emergency Relief Fund shall become part of the principal thereof. (Supervisor Walker presented.) Referred to Earthquake Recovery Committee.

File 97-89-49.1

[Smoking Prohibition]
Ordinance amending Health Code by amending Section 1008.2 to prohibit smoking in laundries and other cleaning establishments. (Supervisor Nelder presented.) Referred to Human Services Committee.

File 118-89-5

[Event Notification]
Draft ordinance amending San Francisco Municipal Code, Part III, by adding Section 251.1 to require every person, firm or corporation engaged in the business of renting or letting rooms to notify the Tax Collector of the exhibition and sale of goods, wares and merchandise by a transient merchant as defined in Section 251 of this article. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 127-89-7

[Earthquake Damaged Illegal Units]
Draft ordinance allowing legalization of illegal units under certain conditions. (Supervisor Nelder presented.) Referred to Earthquake Recovery Committee.

File 270-89-2.1

Adopted

[Jefferson E. Peyser]
Resolution expressing appreciation to Mr. Jefferson E. Peyser on his 90th Birthday.

File 4-89-25, Resolution No. 857-89

Supervisor Hsieh presented for immediate adoption.

Supervisor Hsieh, seconded by Supervisor Kennedy, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hallinan - 1.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Grant - Federal Funds]
Resolution authorizing the Director of Public Works to apply for, accept and expend Federal Highway Emergency Relief Funds, in the amount of $5,728,000, to repair earthquake-damaged Federal Aid Urban Streets in the City and County of San Francisco.

File 148-89-6, Resolution No. 858-89

Supervisor Walker presented for immediate adoption.

Supervisor Maher, seconded by Supervisor Walker, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Referred to Committee

[Actuarial Study]
Resolution authorizing an actuarial study to be performed on the costs of amending the existing contract with the Board of Administration of the Public Employees' Retirement System of the State of California to allow certain Airport Police, Housing Authority Police and Institutional Police employees "2 percent at 50" benefits rather than "2 percent at 55" benefits. (Supervisor Nelder presented.) Referred to Governmental Operations Committee.

File 154-89-1.1

[Graffiti Programs]
Resolution urging the Board of Education and urging the Mayor to urge the Police Commission to establish and implement programs under which graffiti "tags" or symbols used repeatedly by certain individuals would be recorded and kept on file in an effort to identify perpetrators, monetary awards would be granted to those who assist in the identification of the perpetrator of a specific instance of graffiti, a contest among the City's school children for the design of the best anti-graffiti poster would be created and educational programs would be set up focusing on the sanctity of both public and private property and the cost to the community for graffiti removal. (Supervisor Nelder presented.) Referred to Human Services Committee.

File 214-89-3

[Fire Department Commendation]
Resolution commending the San Francisco Fire Department for its prompt and courageous response to the emergency that followed the earthquake of October 17, 1989. (Supervisor Nelder presented.) Referred to Earthquake Recovery Committee.

File 270-89-30.9

[Police Department Commendation]
Resolution commending the San Francisco Police Department for its prompt and courageous response to the emergency that followed the earthquake of October 17, 1989. (Supervisor Nelder presented.) Referred to Earthquake Recovery Committee.

File 270-89-30.10

Adopted as Amended

[Mayor's Earthquake Emergency Relief Fund]
Resolution approving expenditure of $150,000 to reimburse the San Francisco Conservation Corps for emergency relief provided by such organization at the direction of the Mayor.

File 270-89-32, Resolution No. 856-89

Supervisor Walker presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Hsieh, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Supervisor Walker, seconded by Supervisor Hsieh, moved to amend title, line two by replacing "$300,000" with "$150,000" and title, line three by replacing "nonprofit organizations" with "the San Francisco Conservation Corps" and wherever appropriate in the legislation.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Request Granted

Supervisor Walker requested letter be sent to His Honor, the Mayor, notifying him of the Board's desire, when he requests approval of expenditures from this fund, that he document how the money will be spent.

No objection and Clerk directed to comply.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Requests for Hearings

File 197-89-8, By Supervisor Gonzalez: To consider the progress and level of City support for the revitalization of 24th Street (between Valencia and Potrero Streets). Referred to Economic Development Committee.

File 207-89-9, By Supervisor Gonzalez: To consider alleged police misconduct at the recent demonstration outside the Salvadoran Consulate. Referred to Human Services Committee with request it be considered at the November 30, 1989 meeting.

File 97-89-54, By Supervisor Gonzalez: To consider implementing the public works contract program outlined under AB 114. Referred to Governmental Operations Committee.

File 186-89-27, By Supervisor Gonzalez: To consider the advisability and cost-effectiveness of the Division of Mental Health Substance Abuse and Forensic Services annual division action plan and how service to the Latino community will be met and whether the Latino Mental Health Task Force will be included in the decision process. Referred to Human Services Committee.

File 270-89-31, By Supervisor Alioto: To consider solidifying the landfill soil beneath the Marina District. Referred to Earthquake Recovery Committee.

File 274-89-1, By Supervisor Gonzalez: To consider the City's preparedness to assist and undertake its local government responsibilities in complying with the 1990 United States Census and what resources and strategies are being committed to prevent and minimize the potential undercount of ethnic and language minority residents in the City and County of San Francisco. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that City Attorney advise whether the City can adopt an ordinance that would require a misdemeanor arrest be made when individuals loiter or solicit in public in order to buy illegal drugs and to provide legislative history of such local ordinances, for example, New York City.

By Supervisor Gonzalez, that letter be sent to Executive Director and members, San Francisco Housing Authority inquiring whether the Board can receive a monthly update on the repairs, reduction of vacant units and placements from waiting list within the housing stock of the San Francisco Housing Authority.

By Supervisor Hongisto, that City Attorney prepare appropriate legislation requiring buildings which are reconstructed due to earthquake damage be built in a compatible fashion to other

buildings in their respective surrounding neighborhoods in order to preserve the architectural, artistic and aesthetic integrity of the neighborhoods.

By Supervisor Nelder, that City Attorney prepare appropriate legislation requiring each public building and all buildings of sufficient height to be endangered by darkness in San Francisco be equipped with an electric generator so power can be restored as quickly and safely as possible following a power outage. Generator should be sufficient strength to restore power without creating a hazardous condition, individuals with property training should be designated responsibility for starting the generator.

By Supervisor Alioto, that letter of inquiry be sent to Director of Public Works to determine the cost of solidifying the landfill soil beneath the Marina District.

By Supervisor Britt, that letter be sent to the City of Detroit acknowledging and thanking them for their resolution of concern and support for citizens of San Francisco following the recent earthquake.

Motions Adopted

[Final Map]
Motion approving final map of Parkview Commons at 701 Frederick Street (114-unit condominium project), being a resubdivision of Lot 34 in Assessor's Block No. 1265.

File 58-89-26.

Supervisor Maher presented for immediate adoption.

Supervisor Maher, seconded by Supervisor Walker, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Main motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Arthur J. Holland (Supervisor Britt)

Louis Lambert (Supervisor Ward)
Herman Stallworth (Supervisor Kennedy)
Richard Barkley (Supervisors Gonzalez, Ward, Maher)
Margarita Yebra (Supervisor Gonzalez)
John S. Howell (Supervisor Alioto)

File 2-89-46

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 8:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on APR 2 3 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 47

Monday, November 20, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
JUN 4 1990
SAN FRANCISCO
PUBLIC LIBRARY

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 20, 1989 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Harry G. Britt, the meeting was called to order at 2:08 by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker, Ward - 7.

Noted absent at first roll call:

Supervisors Alioto, Britt, Hongisto, Kennedy - 4.

Quorum present.

Supervisor Britt excused from attendance. (See infra.)

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Hongisto was noted present at 2:50 p.m.

Supervisor Kennedy was noted present at 2:09 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Walker, seconded by Supervisor Nelder, moved that Supervisor Gonzalez be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Supervisor Gonzalez thereupon assumed the Chair.

Supervisor Britt Excused

The Clerk stated Supervisor Britt requested to be excused from attending today's meeting because of illness.

Supervisor Maher, seconded by Supervisor Alioto, moved to excuse Supervisor Britt.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, July 24, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

COMMUNICATION

The Clerk stated the Board is in receipt of communication dated November 17, 1989 from the Registrar of Voters certifying the results of the November 7, 1989 election.

Adopted

[Election Declaration]
Resolution declaring the results of consolidated municipal election conducted November 7, 1989, in the City and County of San Francisco.

File 60-89-12, Resolution No. 880-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward 6.

Absent: Supervisors Alioto, Britt, Hongisto, Maher, Nelder 5.

Resolution adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward 6.

Absent: Supervisors Alioto, Britt, Hongisto, Maher, Nelder 5.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $5,000, Public Works, for capital improvement project (Adopt-A Tree Program), for fiscal year 1989-90. (Controller)

File 101-89-47, Ordinance No. 429-89

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $75,000, Medical Examiner/Coroner, for equipment purchase (Gas Chromatograph), for fiscal year 1989-90. (Controller)

File 101-89-51, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $79,300, Chief Administrative Officer, for capital improvement project (City's Seismic Retrofit Program), for fiscal year 1989-90. (Supervisor Hsieh)

File 101-89-53, Ordinance No.

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Lin Yan against the City and County by payment of $12,000. (City Attorney)

File 45-89-46, Ordinance No.

(Superior Court No. 886 396)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Katherine Krikorian against the City and County by payment of $7,392.41. (City Attorney)

File 45-89-47, Ordinance No.

(Superior Court No. 870 823)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Connie Delosa v. San Francisco General Hospital, City and County, Regents of the University of California, et al., by payment of $15,000. (City Attorney)

File 45-89-48, Ordinance No.

(Superior Court No. 879-809)

Passed for second reading.

[Dismissal of Lawsuit]
Ordinance authorizing the dismissal without prejudice of People vs. Owen, as to certain defendants. (City Attorney)

File 46-89-18, Ordinance No.

(Superior Court No. 830-321.)

Passed for second reading.

Recommendations of Governmental Operations Committee

Finally Passed

[Regulating Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the sidewalk on various streets within the South Beach Redevelopment Project Area; and adopting findings

pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-89-8, Ordinance No. 428-89

(Adds Section 1499.)

Finally passed.

[Grant of Easement]
Ordinance authorizing grant of 1.028 acre storm drain easement over Water Department Parcel 69 in Alameda County to the Alameda County Flood Control and Water Conservation District. (Real Estate Department)

File 82-89-9, Ordinance No. 427-89

Finally passed.

Passed for Second Reading

[Airport Concession Lease]
Ordinance approving the "Public Lockers and Over-the-Counter Baggage Storage Lease" between Amlock, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 65-89-8, Ordinance No.

Passed for second reading.

Adopted

Parking of Vehicles]
Resolution extending boundaries of Residential Permit Parking Area "T" in the Forest Hill area and adding Dewey Boulevard, between Laguna Honda Boulevard and Kensington Way, east side; Balceta Avenue, between Woodside and Vasquez Avenues; Hernandez Avenue, between Woodside and Merced Avenues; Laguna Honda Boulevard, between Dewey Boulevard and Hernandez Avenue; Merced Avenue, between Laguna Honda Boulevard and Kensington Way; Pacheco Street, between Dewey Boulevard and Merced Avenue; and Vasquez Avenue, between Woodside and Hernandez Avenues to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-89-15, Resolution No. 901-89

Adopted.

[Lease of Space]
Resolution authorizing lease of real property at 100 McAllister Street (five rooms on the 4th floor) to provide expanded office space for the Office of Safety and Health and the Manager, Bureau of

Claims and Contracts, for the Public Utilities Commission. (Real Estate Department)

File 64-89-37, Resolution No. 900-89

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Public Utilities Commission to apply for, accept and expend $50,000 from the U.S. Department of Transportation under Section 8 of the Urban Mass Transportation Act, as amended, and required local match funds for Municipal Railway Five-Year Planning Activities in Fiscal Year 1989-90. (Public Utilities Commission)

File 94-89-5, Resolution No. 899-89

Adopted.

[Grant - Federal Energy Funds]
Resolution authorizing the Public Utilities Commission/Bureau of Energy Conservation to apply for, accept and expend $45,000 in grant funds from the U.S. Department of Energy and the Urban Consortium Energy Task Force to conduct research on long term and immediate energy planning priorities for the City and County. (Public Utilities Commission)

File 94-89-6, Resolution No. 898-89

Adopted.

Recommendations of Public Works Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Public Works Committee)

File 18-89-13, Resolution No. 897-89

(Stop signs - Establish
Webster and O' Farrell Street, southeast and northwest corners, stopping Webster Street traffic (makes this an all-way stop).)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations, Howard Street. (Public Works Committee)

File 20-89-13.1, Resolution No. 896 89

(Midblock Crosswalk - Establish
Howard Street, at a point approximately midway between Third and Fourth Streets.)

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations, various streets. (Public Works Committee)

File 20-89-14, Resolution No. 895-89

(Tow Away No Stopping Anytime - Establish
Crescent Avenue, north side, from 125 to 210 feet east of Putnam Street (85 foot zone);

Army Street north side, between Valencia Street and Mission Street;

Army Street, north side, from Valencia Street to 85 feet west (85 foot zone);

Army Street, south side, between San Jose Avenue and Valencia Street;

Army Street, south side, from Valencia Street to 90 feet east (90 foot zone);

Precita Avenue, south side, between Coso Avenue and Mission Street.

One Way Street - Rescind
Precita Avenue, between Folsom Street and Coso Avenue, westbound.

One Way Street - Establish
Precita Avenue, between Folsom Street and Coso Avenue, eastbound.

No Left Turn - Rescind
Army Street, eastbound and westbound, at Valencia Street.

Left Lane Must Turn Left - Establish
Army Street, eastbound and westbound, at Valencia Street.

Tow Away No Parking Anytime - Establish
Crescent Avenue, south side, from Putnam Street to 120 feet south of Tompkins Avenue;

Ritch Street, east side, between Brannan Street and Townsend Street.

Right Lane Must Turn Right - Establish
Anza Street, eastbound, at Parker Avenue.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward 9.

Absent: Supervisors Britt, Hongisto 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Public Works Committee

Finally Passed

[Condominium Conversion Limitation]
Ordinance amending Subdivision Code, to modify definition of conversion, to provide that conversion of two-unit buildings is exempt from the code where the building is owner-occupied for one year prior to application for conversion, to extend the 200 unit annual limit on condominium conversions for four years, to clarify the definition of continuous ownership, and to exempt the conversion of stock cooperatives from 200 unit annual limitation where 75 percent of the units have been continuously occupied by owners of record for three years prior to application for conversion. (Supervisors Kennedy, Hsieh)

File 126-89-3, Ordinance No. 426-89

(Amends Sections 1308, 1359, 1396.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Rereferred to Committee

[Embarcadero Freeway Demolition]
Declaration of policy of the City and County of San Francisco to support demolition of the Embarcadero Freeway in the interest of public safety; requesting that Cal-Trans advise the City and County of San Francisco of the safety of the other two double-decked highways in San Francisco, and of viable alternative means that may be available to remove them and provide replacement traffic routes; requesting that Cal-Trans and City Officials meet with affected residents, business operators and the City's tourist and transportation industries and that Cal-Trans be invited to a public hearing to discuss all of these issues. (Supervisors Maher and Alioto)

File 272-89-1, Resolution No.

Supervisor Maher stated the Chinese community has not been consulted concerning subject legislation; therefore he, seconded by Supervisor Walker, moved to continue consideration to a Committee of the Whole on January 8, 1990.

Suspension of the Rules

Supervisor Hsieh, seconded by Supervisor Maher, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Christine Chung in order to permit her to interpret the Supervisors' comments in Chinese.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

After a period of debate, Supervisor Maher, seconded by Supervisor Walker, moved substitute motion to rerefer to Committee with direction subject matter be heard in January subsequent to publication of Caltrans' report.

After another period of debate, Supervisor Nelder, seconded by Supervisor Hallinan, moved to pass item until Supervisor Hongisto's arrival.

Motion failed by the following vote:

Ayes: Supervisors Hallinan, Nelder - 2.

Noes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Maher, Walker, Ward - 7.

Absent: Supervisors Britt, Hongisto - 2.

Supervisor Walker, seconded by Supervisors Maher and Ward, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Britt, Hongisto - 2.

The roll was then called on the pending motion to refer to Committee with direction to consider subject matter in January subsequent to publication of Caltran's report and it was adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Britt, Hongisto - 2.

Recommendations of Governmental Operations Committee

Consideration Continued

[Government Funding]
Ordinance rescinding $71,600 from services of other departments-miscellaneous departments, division overhead, professional services and other contractual services, Department of Social Services, Public Health-Central Office, Public Works-Engineering, Recreation and Park Commission Administration/Business Office, Office of the Mayor and Public Works-Water Pollution Control for fiscal year 1989-90 (work improvement project). (Governmental Operations Committee)

File 101-89-49, Ordinance No.

Appointment of President Pro Tempore

At the request of Acting President Gonzalez, Supervisor Maher assumed the Chair so Supervisor Gonzalez could participate in the debate from the floor.

Supervisor Gonzalez, seconded by Supervisor Walker, moved to continue consideration to December 4, 1989.

Motion to continue adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 7.

Absent: Supervisors Alioto, Britt, Hongisto, Ward - 4.

The Acting President reassumed the Chair.

Finally Passed

[Film and Video Arts Commission]
Ordinance amending Administrative Code authorizing the Office of the Mayor to enter into use agreements with film and other visual arts companies for use of City Property, personnel and facilities and

properties and requiring such companies to enter into use agreements, creating a San Francisco Film and Video Arts Commission, by establishing the duties and authority of the commission, and by replacing the Mayor's Office Film Coordinator with an Executive Director appointed by the commission. (Supervisor Alioto, Gonzalez, Walker)

File 97-89-40, Ordinance No. 425 89

(Amends Chapter 57.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

[Contracts, $50,000 - $10 million]
Ordinance amending Administrative Code, raising from $50,000 to $10 million the dollar amount specified in paragraph three, Charter Section 7.200, for the award of public works and purchasing contracts; requiring that public works and purchasing contracts in excess of $50,000 and not exceeding $10 million be awarded in accordance with the procedures of the Administrative Code, including Chapter 12D. (Supervisor Kennedy)

File 97-89-45, Ordinance No. 424-89

(Adds Section 6.29-1, 6.29-2, 21.11-1 and 21.11-2.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisor Nelder - 1.

Absent: Supervisors Britt, Hongisto - 2.

From the Clerk

Finally Passed

[Landmarks]
Ordinance designating the Alfred G. Hanson residence at 126 27th Avenue as a landmark pursuant to Article 10 of the City Planning Code. (City Planning Commission)

File 90-89-6.2, Ordinance No. 430-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker, Ward - 9.

Noes: Supervisor Kennedy 1.

Absent: Supervisor Britt 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $212,074, Department of Social Services, for professional service contracts and other services (Independent Living Skills Program); providing for ratification of action previously taken, for fiscal year 1989-90. (Controller)

File 101-89-52, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

(Supervisor Hallinan excused from voting in Committee.)

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Mark Wuerfel and Carol Larson against the City and County by payment of $10,000. (City Attorney)

File 45-89-43, Ordinance No.

(Superior Court No. 857-938)

Supervisor Hallinan Excused From Voting

On advise of the City Attorney, Supervisor Hallinan requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Hsieh, seconded by Supervisor Walker, moved to excuse Supervisor Hallinan from voting.

Motion to excuse Supervisor Hallinan adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt 1.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Excused: Supervisor Hallinan 1.

Absent: Supervisor Britt - 1.

[Earthquake Relief/Tax Deferral]
Ordinance implementing Section 197.9 of the Revenue and Taxation Code by authorizing deferral of certain non-delinquent 1989-90 supplemental roll taxes on property which has sustained substantial damage due to the earthquake or aftershocks of 1989. (Supervisor Hallinan)

File 270-89-15, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward 10.

Absent: Supervisor Britt - 1.

Adopted as Amended

[Property Acquisition - Noise Easements]
Resolution authorizing completion of the South San Francisco Phase IV Noise Easement Acquisition Program and the acquisition of 57 additional noise easements comprising the South San Francisco Phase V(a) Program <u>in the amount of $118,911</u>. (Real Estate Department)

File 82-89-10, Resolution No. 902-89

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend title, line four, after the word "program" by inserting "in the amount of $118,911"

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 9.

Absent: Supervisors Britt, Walker - 2.

Recommendation of Governmental Operations Committee

Adopted

[State Disability Insurance]
Resolution authorizing enrollment of Classification 1813 Retirement Analyst in the State Disability Insurance Program. (Employee Relations Division)

File 89-89-8, Resolution No. 894-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendations of Human Services Committee

Passed for second Reading

[Adult Day Health Care Planning Council]
Ordinance amending Administrative Code, relating to membership of the Adult Day Health Care Planning Council. (Supervisor Walker)

File 97-88-75, Ordinance No.

(Amends Sections 44.1, 44.3 and 44.4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder - 8.

Absent: Supervisors Britt, Walker, Ward - 3.

[Leash Law Citation Authority]
Ordinance amending Health Code, authorizing certain officers to enforce regulations on property under the jurisdiction of the Recreation and Park Commission relating to animals running at large. (Supervisor Kennedy)

File 118-89-2, Ordinance No.

(Adds Section 41.14.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 9.

Absent: Supervisors Britt, Walker - 2.

Adopted

[Family Care Leave]
Resolution supporting and urging enactment of A.B.77 (Moore) which will make it an unlawful employment practice for certain employers to refuse to grant to certain employees unpaid leave of up to four months for family care. (Supervisors Kennedy and Gonzalez)

File 12-89-28, Resolution No. 893-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 9.

Absent: Supervisors Britt, Walker - 2.

[Taxi Rates]
Resolution certifying review of rates of fares for taxicabs. (Human Services Committee)

File 15-89-6, Resolution No. 892-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Ward - 9.

Absent: Supervisors Britt, Walker - 2.

From Human Services Committee Without Recommendation

Tabled

[Party Nuisance - Police Reimbursement]
Ordinance amending Police Code, relating to second response calls by the Police Department to abate party nuisances which present threat to public peace, health, safety or welfare, including required payment of costs for police personnel for second response call. (Supervisor Gonzalez)

File 121-89-9, Ordinance No.

(Adds Section 49.1.)

Appointment of President Pro Tempore

At request of the Acting President, Supervisor Nelder assumed Chair so Supervisor Gonzalez could participate in debate from the floor.

Supervisor Gonzalez, seconded by Supervisor Maher, moved to continue consideration to February 20, 1990.

After a period of debate, Supervisor Ward, seconded by Supervisor Hongisto, moved substitute motion to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hongisto, Hsieh, Kennedy, Walker, Ward 7.

Noes: Supervisors Gonzalez, Maher, Nelder 3.

Absent: Supervisor Britt - 1.

The Acting President reassumed the Chair.

Recommendation of Public Works Committee

Adopted

[Traffic Regulation]
Resolution authorizing interim closure of Harbor Road, between Northridge Road and Middle Point Road through November 30, 1990. (Department of Public Works)

File 42-89-34, Resolution No. 891-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendations of the Special Earthquake Recovery Committee

Adopted

[Department of Public Works Commendation]
Resolution commending Director of Public Works Richard Evans and all the staff of the Department of Public Works, especially the divisions of the Bureau of Building Inspection and Street and Sewer Repair, for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989. (Earthquake Recovery Committee)

File 270-89-30.1, Resolution No. 890-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

[Fire Department Commendation]
Resolution commending Fire Chief Frederick Postel, the firefighters, and all the staff of the Fire Department for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989. (Earthquake Recovery Committee)

File 270-89-30.2, Resolution No. 889-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

[Police Department Commendation]
Resolution commending Police Chief Frank Jordan, the Police Officers, and all the staff of the Police Department for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989. (Earthquake Recovery Committee)

File 270-89-30.3, Resolution No. 888-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

[Department of Public Health Commendation]
Resolution commending Dr. David Werdegar, Director of Health, and all the staff of the Department of Public Health for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989.
(Earthquake Recovery Committee)

File 270-89-30.4, Resolution No. 887-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

[Department of Social Services Commendation]
Resolution commending General Manager Julia Lopez, the social workers, and all the staff of the Department of Social Services for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989. (Earthquake Recovery Committee)

File 270 89-30.5, Resolution No. 886-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

[Mayor's Office of Housing and Neighborhoods Commendation]
Resolution commending Executive Director Barbara Smith and all the staff of the Mayor's Office of Housing and Neighborhoods for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989. (Earthquake Recovery Committee)

File 270-89-30.6, Resolution No. 885-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted as Amended

[Water Department Commendation]
Resolution commending Acting General Manager ((James Cooney)) Arthur Jensen and all the staff of the Water Department for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989.
(Earthquake Recovery Committee)

File 270-89-30.7, Resolution No. 903-89

Supervisor Kennedy, seconded by Supervisor Walker, moved to amend title and wherever appropriate by replacing "General Manager James Cooney" with "Acting General Manager Arthur Jensen".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Municipal Railway Commendation]
Resolution commending General Manager William Stead and all the staff of the Municipal Railway for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989.
(Earthquake Recovery Committee)

File 270-89-30.8, Resolution No. 884-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

From the Clerk

Adopted

[Condominium Project]
Motion approving final map of 1800 Turk Street, also known as Joseph Ryan Heights, a condominium, being a resubdivision of Lots 73 through 88 in Assessor's Block 1129; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-25

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of appeal from the decision of the City Planning Commission by its Motion No. 11759, dated September 21, 1989, approving Application No. 88.714EC, Conditional Use Authorization, for a planned unit development of 117 condominium dwelling units with less than the code required rear yard on a lot of approximately 52,869 square feet in the North Beach Neighborhood Commercial District and 40-X Height and Bulk District of property located at 600-690 Chestnut Street.

File 37-89-7

(Appeal filed October 23, 1989.)

The following persons were sworn in and granted privilege of the floor:

Appellants:
Robert Danielson, appellant;
James O'Day, 2328 Taylor Street;
Sharon Seto, 629 Chestnut Street;
Robert Morton;
Sue Anderson, 474 Francisco Street.

Respondents:
Bob Passmore, representing City Planning Commission and Department of City Planning
Robert McCarthy, 333 Market Street, representing project sponsor;
Zak Steward, 45 Water Street.

From the Clerk

Adopted

[Environmental Review]
Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 600-690 Chestnut Street.

File 37-89-7.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]
Motion approving decision of the City Planning Commission by its Motion No. 11759, approving Application No. 88.714EC, for conditional use of property at 600-690 Chestnut Street; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-89-7.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Tabled

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion No. 11759, approving Application No. 88.714EC, for conditional use of property at 600-690 Chestnut Street.

File 37-89 7.3

Supervisor Kennedy, seconded by Supervisor Nelder, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Adopted

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 600 690 Chestnut Street, for action by the Board at its next meeting.

File 37-89-7.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

COMMITTEE REPORTS

From Joint Finance/Human Services Committee

Adopted as Amended

[Federal Funding - Community Development]
Resolution approving the 1990 Community Development Program and Housing Assistance Plan; authorizing the Mayor, on behalf of the City and County, to apply for, receive, and expend the City's 1990 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development; transfer and expend reprogrammed funds from prior year Community Development programs up to $17,485,927; approving expenditure schedules for recipient departments and agencies and for indirect costs; and, determining no environmental evaluation is required, authorizing the receipt and deposit in contingencies of 1990 CDBG entitlement funds in excess of $17,485,927; placing $3,899,147 on reserve. (Mayor)

File 79-89-5, Resolution No. 904-89

Supervisor Walker, seconded by Supervisor Kennedy, moved to amend Exhibit A by adding "$15,000 for Haight Ashbury Community Center".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward 9.

Absent: Supervisors Britt, Hongisto - 2.

Supervisor Hsieh, seconded by Supervisor Hallinan, moved to amend Exhibit A by adding "12,244 for Chinese for Affirmative Action" thereby increasing the amount to be reduced from the Mayor's Office of Community Development contingency from "$77,029" to "$104,303".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Supervisor Walker, seconded by Supervisor Maher, moved to amend the title, line 13, after the word "Agency", by inserting "; placing $3,899,147 on reserve" and amend page two, line three, after the word "amended," by inserting "pursuant to Exhibit A, copy of which is on file with the Clerk of the Board of Supervisors in File 79-89-5 and which is hereby declared to be a part of this resolution as if set forth fully herein,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Supervisor Nelder moved to amend by removing "$10,000 for travel" and allocate it to "Chinese for Affirmative Action".

Motion lost for want of a second.

Thereupon, the roll was called on the pending resolution and it was adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John Grendel;
Ace Washington.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-47, Resolution No. 877-89

(John L Blumlein, member, Health Commission, November 20 - 26; Edward A. Chow, M.D., member, Health Commission, November 10 12; Marilyn Chow, Vice President, Social Services Commission, November 8 - 12; Sharon B. Duvall, member, Airports Commission, December 3 - 9; Leonard Graff, member, Human Rights Commission, November 2 - 6 and December 19 - 29; Dick Grosboll, member, Parking Authority, November 8 - 19; Michael Hennessey, Sheriff, November 14 - 19; Frank M. Jordan, Chief of Police, November 30 - December 1; Sonia Melara, member, Parking Authority, November 9 14; James Morales, Vice President, City Planning Commission, November 15 - 17; Patrick A. Murphy, member, Airports Commission, November 18 - 25; Trent Orr, member, Recreation & Park Commission, November 28 - December 3; Harry S. Parker, III, Director of the Fine Arts Museums, November 30 - December 3; Betty Lou Treguboff, member, Commission on the Aging, November 7 - 10; L.A. Turpen, Director of Airports, November 21 - 27, 1989.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portions of Chestnut, Pierce, Avila and Mallorca Streets for a Marina Renaissance Event; providing for Municipal Railway reimbursement. (Supervisor Maher)

File 42-89-41, Resolution No. 883-89

(Chestnut Street, between Fillmore and Scott Streets, and approximately 100 feet of Pierce, Mallorca and Avila Streets proceeding north from Chestnut Street, on Saturday, December 2, 1989 from 7:00 a.m. to 7:00 p.m.)

Adopted.

[Grant State Funds]
Resolution declaring a State of Emergency and authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to apply for, accept and expend a grant of $515,507 from the State Department of Mental Health for earthquake relief services. (Supervisor Walker)

File 146-89-69, Resolution No. 882-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 6.

Absent: Supervisors Alioto, Britt, Hongisto, Maher, Nelder 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Temporary Rent Reductions Due to Earthquake Damage]
Substitute ordinance providing that restoring rent levels after temporary rent reductions for tenants due to damage as a result of the earthquake of October 17, 1989 does not constitute a rent increase for purposes of the Residential Rent Stabilization and Arbitration Ordinance. (Supervisor Kennedy presented.) Referred to Earthquake Recovery Committee.

File 270-89-26

Adopted

[Department of General Services Proposed Regulations]
Resolution urging the Department of General Services to implement, interpret and make specific Article 1.5 (commencing with Section 10115) of Chapter 1 of Part 2 of Division 2 of the Public Contract Code to reflect the intent of Assembly Bill 1933 (Chapter 61, Statutes of 1988) relating to state contracts participation goals for minority business enterprises and women business enterprises.

File 12-89-11, Resolution No. 277-89

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward 6.

Absent: Supervisors Alioto, Britt, Hongisto, Maher, Nelder 5.

Resolution adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward 6.

Absent: Supervisors Alioto, Britt, Hongisto, Maher, Nelder - 5.

[Gift Acceptance]
Resolution authorizing acceptance by the San Francisco Fire Department of $50,000 in cash from Shinnyo-en, a Buddhist organization residing in the Marina District, for the sole benefit of the San Francisco Fire Department.

File 38-89-23, Resolution No. 881-89

Supervisor Alioto presented for immediate adoption.

Supervisor Alioto, seconded by Supervisor Hsieh, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 6.

Absent: Supervisors Alioto, Britt, Hongisto, Maher, Nelder - 5.

[Grant - Federal Funds]
Resolution authorizing the Mayor to apply for, accept and expend funds in the amount of $822,029 made available through the Department of Health and Human Services for a project entitled "San Francisco Gang Prevention Program" and agreeing to provide in kind match in the amount of $357,850 and rescinding Resolution Number 861-89.

File 68-89-12.1, Resolution No. 876-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward 7.

Absent: Supervisors Alioto, Britt, Hongisto, Maher 4.

Resolution adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward 6.

Absent: Supervisors Alioto, Britt, Hongisto, Maher, Nelder - 5.

Referred to Committee

[Redevelopment Agency Budget]
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1989 90. (Supervisor Walker presented.) Referred to Finance Committee with request it be considered at the November 29, 1989 meeting.

File 161 89-7

[Human Rights Commission Recommendations]
Resolution urging the Mayor to urge the Police Commission to urge the Police Chief to consider and implement the November 8, 1989 recommendations of the Human Rights Commission, including the recommendations regarding police handling of public demonstrations, police officer training for crowd control and citizen control of the San Francisco Police Department and the recommendations of the Bar Association of San Francisco for improving the disciplinary and investigative system of the Police Commission, Police Department and the Office of Citizen Complaints. (Supervisors Walker, Hallinan, Gonzalez, Alioto presented.) Referred to Human Services Committee with request it be considered at the November 30, 1989 special meeting.

File 207-89-10

Referred to Immediate Adoption Calendar

[Zoo Advisory Committee]
Resolution re-establishing the Zoo Advisory Committee to complete its task of reviewing conditions at the San Francisco Zoo and further to investigate the impact of the earthquake or October 17, 1989 on animals and zoo facilities and report the findings to the

Public Works Committee of the Board of Supervisors. (Supervisor Nelder presented.) Referred to Board December 4, 1989 Immediate Adoption Calendar.

File 248-89 4

Referred to Committee

[Embarcadero Freeway]
Draft resolution requesting the Mayor's Office, affected City departments and Caltrans to prepare reports on the impact of various alternatives for the freeways and to hold public hearings based upon these analyses and forthcoming Caltrans studies on the estimated costs of such alternatives. (Supervisors Ward and Hsieh presented.) Referred to Public Works Committee.

File 272-89-3

Adopted

[UDAG Revolving Fund - Facade Improvement Program]
Resolution authorizing expenditure of $30,000 from the San Francisco Urban Development Action Grant revolving fund to establish the Facade Improvement Loan Program under Title I of the Housing and Community Development Act of 1974.

File 275-89-1, Resolution No. 879-89

Supervisor Gonzalez presented for immediate adoption.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Walker, Ward - 7.

Absent: Supervisors Alioto, Britt, Hongisto, Maher -4.

Resolution adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Walker, Ward - 6.

Absent: Supervisors Alioto, Britt, Hongisto, Maher, Nelder - 5.

Requests for Hearings

File 163-89-3, By Supervisor Kennedy: To consider the potential uses for the Presidio, including, but not limited to education, homeless, recreation and arts. Referred to Land Use Committee.

File 270 89-30.11. By Supervisor Kennedy: To consider commending General Manager Thomas Elzey and all the staff of the Public Utilities Commission for exemplary performance of duty during the state of emergency following the earthquake of October 17, 1989. Referred to Earthquake Recovery Committee.

File 276 89 1. By Supervisor Ward: To consider reviewing the operations of Headstart. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney prepare appropriate legislation which would permit tents to be set up for a limited period between the hours of sunset and sunrise on selected parcels of City-owned property subject to the jurisdiction of the Recreation and Park Commission.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation to establish a fund to guarantee the payment of the security deposit (generally consisting of the first and last month rent) required to rent housing for low-income renters.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works concerning construction activities along the Third Street corridor to determine whether businesses along this area were notified of the proposed work to be done which would cause disruption of utility service, use of heavy equipment, impair traffic flow, loss of parking spaces, use of outside laborers and whether affirmative action was applied on this construction contract.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works concerning construction at 74 San Jacinto Street to determine whether appropriate permits were requested and issued for such work.

By Supervisor Ward, that letters be sent to Acting Chief of Staff, Surgeon General and Regional Health Administrator, Department of Health and Human Services expressing support for the San Francisco Medical Center Outpatient Improvement grant from the U.S. Department of Health and Human Services to continue their critical, needed medical care for the residents of San Francisco, as well as the many hundreds of homeless already being medically serviced at the South of Market health service.

By Supervisor Gonzalez, that letter of inquiry be sent to Chief of Police regarding citizens' concerns about the increased crime in the vicinity of the Frontenac Apartments located at 500 Hyde Street and what action can be taken to rectify the situation.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John J. Blessing (Supervisors Britt, Alioto)
Michael J. Smith (Supervisor Britt)
Buck Helm (Supervisor Britt)
Shirley Hennessey (Supervisor Walker)
Frank Bruce (Supervisor Ward, Kennedy)
Terressa Griffin (Supervisors Kennedy, Ward, Gonzalez)
Armanda E. Gordon (Supervisor Kennedy)
Lincoln Gokson (Supervisor Hsieh)

File 2-89-47

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:38 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

APR 30 1990

[redacted]

Approved by the Board of Supervisors on _____

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 48

Monday, December 4, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.
JUN 6 1990
SAN FRANCISCO
PUBLIC LIBRARY

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 4, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Noted absent at first roll call:

Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

Quorum present.

Supervisor Hongisto excused. (See infra.)

Supervisor Hsieh was noted present at 2:12 p.m.

Supervisor Kennedy was noted present at 2:09 p.m.

Supervisor Maher was noted present at 2:09 p.m.

Supervisor Ward excused. (See infra.)

Supervisors Hongisto and Ward Excused

The Clerk announced Supervisors Hongisto and Ward both indicated they will be late to today's meeting and requested that they be excused until their arrival.

Supervisor Walker, seconded by Supervisor Alioto, moved to excuse Supervisors Hongisto and Ward until their arrival.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Nelder, seconded by Supervisor Walker, moved that the Journal of Proceedings for Monday, July 31, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Nelder, Walker - 6.

Absent: Supervisors Hongisto, Hsieh, Kennedy, Maher, Ward - 5.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $75,000, Medical Examiner/Coroner, for equipment purchase (Gas Chromatograph), for fiscal year 1989-90. (Controller)

File 101-89-51, Ordinance No. 432-89

Finally passed.

[Government Funding]
Ordinance appropriating $79,300, Chief Administrative Officer, for capital improvement project (City's Seismic Retrofit Program), for fiscal year 1989-90. (Supervisor Hsieh)

File 101-89-53, Ordinance No. 441-89

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Lin Yan against the City and County by payment of $12,000. (City Attorney)

File 45-89-46, Ordinance No. 436-89

(Superior Court No. 886-396)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Katherine Krikorian against the City and County by payment of $7,392.41. (City Attorney)

File 45-89-47, Ordinance No. 437-89

(Superior Court No. 870-823)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Connie Delosa v. San Francisco General Hospital, City and County, Regents of the University of California, et al., by payment of $15,000. (City Attorney)

File 45-89-48, Ordinance No. 438-89

(Superior Court No. 879-809)

Finally passed.

[Dismissal of Lawsuit]
Ordinance authorizing the dismissal without prejudice of People vs. Owen, as to certain defendants. (City Attorney)

File 46-89-18, Ordinance No. 439-89

(Superior Court No. 830-321.)

Finally passed.

[Earthquake Relief/Tax Deferral]
Ordinance implementing Section 197.9 of the Revenue and Taxation Code by authorizing deferral of certain non-delinquent 1989-90 supplemental roll taxes on property which has sustained substantial damage due to the earthquake or aftershocks of 1989. (Supervisor Hallinan)

File 270-89-15, Ordinance No. 433-89

Finally passed.

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of David Kurland against the City and County by payment of $10,000. (City Attorney)

File 45-89-49, Ordinance No.

(Superior Court No. 831-537)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Joel Ventresca against the City and County by payment of $18,500. (City Attorney)

File 45-89-50, Ordinance No.

(Superior Court No. 837-926)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Stacy and Witbeck, Inc., against the City and County, et al., by payment of $250,000. (City Attorney)

File 45-89-51, Ordinance No.

(Superior Court No. 873-261)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Marion S. Lombardo against the City and County by payment of $18,000. (City Attorney)

File 45-89-52, Ordinance No.

(Superior Court No. 876-803)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Rosargentina Herrera against the City and County by payment of $24,500. (City Attorney)

File 45-89-53, Ordinance No.

(Superior Court No. 897-611)

Passed for second reading.

Adopted

[Contracting Out City Services]
Resolution concurring with the Controller's certification that janitorial services at the Ferry Building and surrounding areas, the agricultural building, the cruise ship terminal and at various Port piers can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Port)

File 25-89-28, Resolution No. 922-89

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Perry Kurtz by payment of $11,000. (City Attorney)

File 48-89-14, Resolution No. 923-89

Adopted.

[Unlitigated Claim]
Resolution approving settlement of unlitigated claim of City and County v. Golden Gate Parking in favor of the City and County in the amount of $16,500 . (City Attorney)

File 49-89-2, Resolution No. 924-89

Adopted.

Recommendations of Governmental Operations Committee

Finally Passed

[Airport Concession Lease]
Ordinance approving the "Public Lockers and Over-the-Counter Baggage Storage Lease" between Amlock, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 65-89-8, Ordinance No. 440-89

Finally passed.

Passed for Second Reading

[Lease of Property]
Ordinance approving First Amendment to lease between Mission Creek Harbor Association, Inc. and the City and County, operating by and through the Port Commission. (Port)

File 173-89-5, Ordinance No.

Passed for second reading.

[Lease of Property]
Ordinance approving Lease L-11515 between The San Francisco Bar Pilots Benevolent and Protective Association and the City and County, operating by and through the Port Commission. (Port)

File 173-89-6, Ordinance No.

Passed for second reading.

Adopted

[Parking of Vehicles]
Resolution extending boundaries of Residential Permit Parking Area "S" in the Duboce Triangle area and adding Twentieth Street, between Castro and Noe Streets, to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-89-14, Resolution No. 912-89

Adopted.

[County Report Alcohol and Drug Services]
Resolution approving the San Francisco County Report for combined alcohol and drug services in fiscal year 1989-90 as prepared and submitted by the Department of Public Health, Community Substance Abuse Services for submission to the State of California, Department of Alcohol and Drug Programs; and authorizing and directing the President of the Board to certify said report. (Department of Public Health)

File 186-89-26, Resolution No. 925-89

Adopted.

Recommendations of Human Services Committee

Finally Passed

[Adult Day Health Care Planning Council]
Ordinance amending Administrative Code, relating to membership of the Adult Day Health Care Planning Council. (Supervisor Walker)

File 97-88-75, Ordinance No. 434-89

(Amends Sections 44.1, 44.3 and 44.4.)

Finally passed.

[Leash Law Citation Authority]
Ordinance amending Health Code, authorizing certain officers to enforce regulations on property under the jurisdiction of the Recreation and Park Commission relating to animals running at large. (Supervisor Kennedy)

File 118-89-2, Ordinance No. 435-89

(Adds Section 41.14.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

Monday, December 4, 1989

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $212,074, Department of Social Services, for professional service contracts and other services (Independent Living Skills Program); providing for ratification of action previously taken, for fiscal year 1989-90. (Controller)

File 101-89-52, Ordinance No. 431-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

(Supervisor Hallinan excused from voting.)

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Mark Wuerfel and Carol Larson against the City and County by payment of $10,000. (City Attorney)

File 45-89-43, Ordinance No. 442-89

(Superior Court No. 857-938)

Supervisor Hallinan has been excused from voting. (See Journal of Proceedings for November 20, 1989.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Kennedy, Maher, Nelder, Walker - 7.

Excused: Supervisor Hallinan - 1.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

Recommendation of Governmental Operations Committee

Rereferred to Committee

[Government Funding]
Ordinance rescinding $71,600 from services of other departments-miscellaneous departments, division overhead, professional services and other contractual services, Department of Social Services, Public Health-Central Office, Public

Works Engineering, Recreation and Park Commission Administration/Business Office, Office of the Mayor and Public Works Water Pollution Control for fiscal year 1989-90 (work improvement project). (Governmental Operations Committee)

File 101-89-49, Ordinance No.

Supervisor Walker, seconded by Supervisor Gonzalez, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2

From the Clerk

Adopted

(Supervisors Britt and Hongisto absent from hearing.)

[Findings]
Motion adopting findings approving the decision of the City Planning Commission approving Application No. 88.714EC, for conditional use authorization for a planned unit development of property at 600-690 Chestnut Street.

File 37-89-7.5

Supervisor Britt Excused from Voting

Supervisor Walker, seconded by Supervisor Nelder, moved to excuse Supervisor Britt from voting.

Motion to excuse Supervisor Britt from voting adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Excused: Supervisor Britt - 1.

Absent: Supervisors Hongisto, Ward - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation Ordinance]
Ordinance amending Annual Appropriation Ordinance for 1989-90 to appropriate State and Federal Disaster Funds and authorizing Controller to transfer funds to credit of department which initially incurred expense relating to October 17, 1989, earthquake. (Controller)

File 101-89-54, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Membership in Organization]
Ordinance amending Administrative Code, by adding organizations onto the membership list of the Employees Retirement System. (Supervisor Maher)

File 97-89-52, Ordinance No.

(Amends Section 16.6-29.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted

[Emergency Repair Work]
Resolution approving Declaration of Emergency, San Francisco International Airport emergency earthquake repair work - airfield, Airport Contract No. 2262, construction budget - $276,636. (Airports Commission)

File 28-89-15, Resolution No. 915-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Emergency Repair Work]
Resolution approving Declaration of Emergency, San Francisco International Airport emergency earthquake repair work - water mains, Airport Contract No. 2260, construction budget $200,000. (Airports Commission)

File 28-89-16, Resolution No. 916-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Emergency Repair Work]
Resolution approving Declaration of Emergency, San Francisco International Airport emergency earthquake repair work - airfield support, Airport Contract No. 2264, construction budget - $400,000. (Airports Commission)

File 28-89-17, Resolution No. 917-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisor Hongisto, Ward - 2.

[Emergency Repair Work]
Resolution approving Declaration of Emergency, San Francisco International Airport emergency earthquake repair work - utilities, Airport Contract No. 2266, construction budget - $100,870. (Airports Commission)

File 28-89-19, Resolution No. 918-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted as Amended

[Narcotics Forfeiture and Asset Seizure Fund]
Resolution supporting the funding and policy recommendations of the Mayor's Office of Criminal Justice Planning for the Narcotics Forfeiture and Asset Seizure Fund. (Supervisor Walker)

File 97-89-31, Resolution No. 913-89

Supervisor Hallinan, seconded by Supervisor Walker, moved to amend page two, line 13, after the word "decisions." by inserting "However, if special circumstances arise, the Chair of MCJC can call these items up for review after six months."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted

[Redevelopment Agency Budget]
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County for fiscal year 1989-90. (Supervisor Walker)

File 161-89-7, Resolution No. 919-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

<u>From Finance Committee Without Recommendation</u>

Passed for Second Reading

[Government Funding]
Ordinance appropriating $132,642, Public Health - Central Office, San Francisco General Hospital and Community Mental Health Services, for permanent salaries-miscellaneous; rescinding $178,468 from permanent salaries - nurses, permanent salaries-miscellaneous and related mandatory fringe benefits, for the creation of seven positions and the deletion of five positions and the establishment of the new classification 2218 Physician Assistant. (Controller)

File 101-89-50, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Department of Public Health, Central Office, San Francisco General Hospital and Community Mental Health Services, reflecting the establishment of the new position classification 2218 Physician Assistant and the reallocation of five positions (Classifications 2328 Nurse Practitioner, 2230 Physician Specialist). (Civil Service Commission)

File 102-89-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Recommendation of Governmental Operations Committee

Adopted

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "J" in the Parnassus Heights area, and adding Grattan Street, between Stanyan and Shrader Streets, and Stanyan Street, between Parnassus Avenue and Rivoli Street, to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-89-18, Resolution No. 920-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Recommendation of Land Use Committee

Passed for Second Reading

[Zoning Map Amendment]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located in the block bounded by Golden Gate Avenue, Hyde, Larkin, and McAllister Streets, Lots 10, 11, 12, 13, 14 and 15 in Assessor's Block 347 from a C-3-G (Downtown General Commercial) District to an RC-4 (Residential-Commercial Combined, High Density) District from an 80-X to 80-T Height and Bulk District and amending the boundaries of the North of Market Residential Special Use District to include these properties, and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 36-89-3, Ordinance No.

(The Board adopted Resolution No. 933-88, adopting the Negative Declaration on December 8, 1988.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Special Earthquake Recovery Committee

Passed for Second Reading

[Earthquake Emergency Relief Fund]
Ordinance amending Administrative Code, providing that interest earned from the Mayor's Earthquake Emergency Relief Fund shall become part of the principal thereof. (Supervisor Walker)

File 97-89-49.1, Ordinance No.

(Amends Section 10.117-90.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted

[Public Utilities Commission Commendation]
Resolution commending Executive Director of the Public Utilities Commission Thomas Elzey and all the staff of the Public Utilities Commission for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989. (Supervisor Kennedy)

File 270-89-30.11, Resolution No. 914-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider whether public interest and necessity require the City and County of San Francisco to acquire by eminent domain the property described as Lots 7, 8, 12, 13, 15, 16 and 19 in Assessor's Block 4622 and Lots 6, 7, 22 and 23 in Assessor's Block 4605; in San Francisco for the Open Space Program (India Basin). (Real Estate Department)

File 168-89-7

The privilege of the floor was granted to the following:

Emperor Arcadia;
John J. Kosewic, property owner.

There being no one else present wishing to speak, the President declared the hearing concluded.

From Finance Committee Without Recommendation

Adopted

[Eminent Domain]
Resolution authorizing acquisition of Lots 16 and 19 in Assessor's Block 4622 and Lots 6, 7, 22 and 23 in Assessor's Block 4605; and Lots 7, 8, 12, 13 and 15 in Assessor's Block 4622 (in India Basin) by Eminent Domain for the Open Space Program, and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 168-89-7.1, Resolution No.921-89

Supervisor Nelder, seconded by Supervisor Hsieh, moved to continue consideration to December 18, 1989.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Alioto, Hsieh, Kennedy, Nelder - 4.

Noes: Supervisors Britt, Gonzalez, Hallinan, Maher, Walker - 5.

Absent: Supervisors Hongisto, Ward - 2.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Nelder, Walker - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Hongisto, Ward - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of appeal from the decision of the City Planning Commission by its Motion No. 11772, dated October 12, 1989, approving Conditional Use Application No. 89.409C, authorizing expansion of an existing full service restaurant to contain approximately 1,820 square feet of floor area and increase seating from 24 to 40 within the Upper Fillmore Neighborhood Commercial District of property located at 2408 California Street.

File 37-89-8

(Appeal filed November 9, 1989.)

(Environmental Review categorically exempt.)

The following persons were sworn in and granted privilege of the floor:

Appellants:
Ralph Gallagher;
Sophia Gallagher;
Paul McCloud.

Respondents:
Bob Passmore, representing City Planning Commission and Department of City Planning.

From the Clerk

Adopted as Amended

(Only one of the following two motions should be adopted.)

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion No. 11772, dated October 12, 1989, approving Application No. 89.409C, for conditional use of property at 2408 California Street; and approving granting a conditional use permit subject to conditions imposed by City Planning, as amended, and additional conditions; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-89-8.1

Supervisor Walker, seconded by Supervisor Hallinan, moved to amend legislation to reflect approving granting a conditional use permit subject to conditions imposed by City Planning, as amended, and additional conditions. Title amended to read: "Disapproving decision of the City Planning Commission by its Motion No. 11772, dated October 12, 1989, approving Application No. 89.409C, for conditional use of property at 2408 California Street and approving granting a conditional use permit subject to conditions imposed by City Planning, as amended, and additional conditions; and adopting findings pursuant to City Planning Code Section 101.1."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Tabled

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion No. 11772, dated October 12, 1989, approving Application No. 89.409C, for conditional use of property at 2408 California Street.

File 37-89-8.2

Supervisor Walker, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Adopted

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 2408 California Street, for action by the Board at its next meeting.

File 37-89-8.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Closed Session

The closed session with the Chief of Police and President, Police Commission, scheduled for today has been postponed. (See Journal of Proceedings of December 11, 1989.)

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Frank Klaus;
Harold Hoogasian.

IMMEDIATE ADOPTION CALENDAR

Severed from Immediate Adoption Calendar

Supervisor Maher requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Referred to Committee

[Zoo Advisory Committee]
Resolution re-establishing the Zoo Advisory Committee to complete its task of reviewing conditions at the San Francisco Zoo and further to investigate the impact of the earthquake of October 17, 1989 on animals and zoo facilities and report the findings to the Public Works Committee of the Board of Supervisors. (Supervisor Nelder)

File 248-89-4, Resolution No.

On objection of Supervisor Maher, subject legislation referred to Rules Committee.

Severed from Immediate Adoption Calendar

Supervisor Kennedy requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Filed

[Airport Administration]
Resolution approving declaration of emergency, San Francisco International Airport emergency earthquake repair work - terminals, Airport Contract No. 2263, Construction Budget - $5,000,000. (Supervisor Walker)

File 28-89-20.1, Resolution No.

Supervisor Walker indicated this is a duplicate subject matter of an item to be heard in Finance Committee on December 6, 1989.

There being no objection, the President ordered the matter filed.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-48, Resolution No. 906-89

(Mayor Art Agnos, November 26 - 29 and December 1 - 7; Doris M. Ward, member, Board of Supervisors, November 21 - December 2; Philip Armour, member, Commission on the Aging, November 17 - 19 and December 17 - January 6, 1990; Alan D. Becker, member, War Memorial Board of Trustees, November 20 - 27; Kenneth E. Dowlin, City Librarian, January 5 - 9 and January 13 - 22, 1990; Sharon B. Duvall, member, Airports Commission, December 3 - 9; Douglas Engmann, President, City Planning Commission, November 28 - December 3; H. Welton Flynn, member, Public Utilities Commission, December 1 - 8; M.H. Geistlinger, Director of Purchasing, December 10 - 18; Richard Guggenhime, member, Recreation and Park Commission, December 8 - 10 and 22 - 31; Anne Halsted, member, Port Commission, November 21 - 28; Michael Hennessey, Sheriff, November 14 - 19; Frank M. Jordan, Chief of Police, November 30 - December 1; Maurice Mann, member, Retirement Board, November 26 - December 1 and December 8 - 12; Jose E. Medina, member, Police Commission, November 24 - 27; Sonia Melara, member, Parking Authority, November 30 - December 10 and December 23 - January 3; Grant Mickins, member, Civil Service Commission, November 20 - 28; Patrick A. Murphy, member, Airports Commission, November 18 - 25; Rudolf Nothenberg, Chief Administrative Officer, November 26 - 29; Harry S. Parker, III, Director of the Fine Arts Museums,

December 12 - 13 and 15 - 31; Richard Sanchez, M.D., M.P.H., member, Health Commission, November 19 - 25; Boyd G. Stephens, M.D., Chief Medical Examiner, December 1, 1989.)

Adopted.

[Street Closing]
Resolution authorizing temporary closing of Hotaling Place and Jack Kerouac Alley for the filming of a motion picture by Twentieth Century Fox. (Supervisor Walker)

File 42-89-42, Resolution No. 907-89

(Hotaling Place, between Jackson and Washington Streets (partial closure - open to delivery vehicles and pedestrians) from Wednesday, December 6, through Saturday, December 9, 1989, from 6:00 a.m. to 10:00 p.m. each day; and Jack Kerouac Alley (formerly Adler Street), between Grant and Columbus Avenues, on Wednesday, December 13, 1989, from 6:00 a.m. to 10:00 p.m.)

Adopted.

[Oil and Gas Facilities Moratorium Extension]
Resolution extending the moratorium on the use, development or construction of crude oil and gas processing and support facilities set forth in Appendix M of the San Francisco Charter to and including April 1, 1990. (Supervisor Alioto)

File 277-89-1, Resolution No. 910-89

Adopted.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map Amendment]
Ordinance amending City Planning Code by amending the Zoning Map for property located at Assessor's Block 347, Lot 5 to reclassify this parcel from RC-4 to C-3-G, to reclassify this parcel from Height and Bulk District 80-T to 80-X, and to amend the boundaries of the North of Market Residential Special Use District to exclude this parcel. (Supervisor Kennedy presented.) Referred to Land Use Committee.

File 36-89-4

[Government Funding]
Ordinance appropriating $40,000, Commission on the Status of Women, for professional and special services (legal assistance for restraining orders). (Supervisor Walker presented.) Referred to Finance Committee with request it be considered at the December 13, 1989 meeting.

File 101-89-63

[MSG Notice]
Ordinance amending Health Code by adding Section 470 requiring restaurants to disclose the use of monosodium glutamate and hydrolyzed vegetable protein. (Supervisor Nelder presented.) Referred to Human Services Committee.

File 118-89-6

Adopted

[Human Rights Day]
Resolution commemorating December 10, 1989 as the 41st Anniversary of Universal Declaration of Human Rights and urging San Franciscans to participate and support the promotion of human rights.

File 4-89-26, Resolution No. 908-89

Supervisor Britt presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Maher, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Hongisto, Hsieh, Ward - 3.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Walker - 7.

Absent: Supervisors Hongisto, Hsieh, Nelder, Ward - 4

[Pickle Family Circus]
Resolution commending the Pickle Family Circus on their 15th anniversary for their fine family entertainment and commitment to San Francisco and affirming the Board of Supervisors' commitment to ensure the Pickle Family Circus remains in San Francisco.

File 4-89-27 Resolution No. 909-89

Supervisor Alioto presented for immediate adoption.

Supervisor Alioto, seconded by Supervisor Hsieh, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Walker - 7.

Absent: Supervisors Hongisto, Hsieh, Nelder, Ward - 4.

[Commendation]
Resolution commending various construction industry unions and Swinerton and Walberg for their efforts to raise funds for the immediate assistance of families of those who were killed in the November 28, 1989 collapse of a tower crane at the 600 California Street project and encouraging members of the public to contribute to the special fund.

File 4-89-28 Resolution No. 911-89. ,

Supervisors Hallinan, Alioto, Kennedy, Gonzalez presented for immediate adoption.

Supervisor Hallinan , seconded by Supervisor Kennedy, moved the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Absent: Supervisors Hongisto, Ward - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Walker - 7.

Absent: Supervisors Hongisto, Hsieh, Nelder, Ward - 4.

Referred to Committee

[State Legislation]
Resolution supporting SB 478, a measure regulating the licensing of crane operators. (Supervisor Hallinan presented on behalf of Supervisors Hongisto and Hallinan.) Referred to Public Works Committee.

File 12-89-34

[Aid to El Salvador]
Resolution urging the United States of American to immediately suspend all war-related economic and military aid to the government of El Salvador and urging an international consumer boycott of all Salvadoran coffee products. (Supervisor Gonzalez presented.) Referred to Human Services Committee.

File 13-89-17

[Sewage Treatment Works Construction Financing]
Resolution finding and determining that the Mariposa transport/storage facilities project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed approximately $9 million. (Supervisor Walker presented.) Referred to Finance Committee.

File 53-89-4

[Sewage Treatment Works Construction Financing]
Resolution finding and determining that the Oceanside water pollution control plant project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed approximately $85 million. (Supervisor Walker presented.) Referred to Finance Committee.

File 53-89-5

[Foster Care]
Resolution establishing as City policy support for efforts to change applicable laws and other barriers which preclude blood relatives who provide foster care for children neglected and/or abused by substance-abusing parents from receiving the same economic aid and financial entitlements which are made available to non-related foster care providers and establishing as City policy support for efforts to create and promote conditions whereby blood relatives of children neglected and/or abused by substance-abusing parents would be encouraged and motivated to assume and continue care of those children until their parents are declared fit to rear them or they reach an appropriate age to care for themselves. (Supervisor Nelder presented.) Referred to Human Services Committee.

File 107-89-14

[Proposition H, Sick Leave Transfer]
Resolution urging the Mayor to urge the Health Commission, Civil Service Commission and Retirement Board to meet the time requirement imposed by Proposition H and conduct a joint public hearing to develop and submit recommendations to the Board of Supervisors for the administration of sick leave transfers. (Supervisor Hallinan presented on behalf of Supervisor Hongisto.) Referred to Governmental Operations Committee.

File 179-89-4

[Proposition I, Vacation Leave Transfer]
Resolution urging the Mayor to urge the Health Commission to meet the requirement imposed by Proposition I and develop a definition of catastrophic illness for the purpose of a sick and vacation leave transfer program for City and County employees. (Supervisor Hallinan presented on behalf of Supervisor Hongisto.) Referred to Governmental Operations Committee.

File 180-89-4

Referred to Board Immediate Adoption Calendar

[Presidio Branch Library]
Resolution urging the Mayor to urge the Department of Public Works, the Library Commission and the City Librarian to explore every available means of restoring the Presidio Branch Library to its pre-earthquake level of service and maintaining it at its present location. (Supervisor Nelder presented.) Referred to Board December 11, 1989 Immediate Adoption Calendar.

File 192-89-2

Referred to Committee

[United Nations Plaza]
Resolution directing the Clerk of the Board to enter into an agreement for the use of United Nations Plaza for the distribution of free food by Food not Bombs subject to certain conditions. (Supervisor Hallinan presented.) Referred to Public Works Committee.

File 193-89-6.1

[School Crossing Safety]
Resolution urging the Department of Public Works to study traffic safety measures near elementary and middle schools located by high density traffic corridors. (Supervisor Maher presented.) Referred to Public Works Committee.

File 212-89-4

[Embarcadero Freeway - Technical Advisory Task Force]
Resolution urging the Mayor to urge the Directors of the Department of Public Works, Port Commission, Department of City Planning and San Francisco Public Utilities Commission to establish a technical advisory committee in conjunction with the Mayor's Office for the purpose of preparing and reporting to the Board of Supervisors an evaluation of replacement transportation systems and traffic routes as proposed alternatives to the Embarcadero Freeway and requesting that such report be submitted to the Board of Supervisors within 15 days of the Caltrans study and cost analysis of transportation alternatives to the Embarcadero Freeway. (Supervisor Hallinan presented.) Referred to Public Works Committee.

File 272-89-4

Requests for Hearings

File 60-89-5.2, By Supervisor Hallinan on behalf of Supervisor Hongisto: To consider implementation of Proposition V (November, 1989), Candlestick Park improvement. Referred to Public Works Committee.

File 107-89-15, By Supervisor Kennedy: To consider procedures and regulations concerning foster children, including placement of these children outside of San Francisco and the ramifications of Senate Bill 1177 regarding adoption of children. Referred to Human Services Committee.

File 192-89-3, By Supervisor Gonzalez: To consider advisability of the proposed closing of the Presidio Branch Library. Referred to Human Services Committee.

File 207-89-11. By Supervisors Walker, Alioto, Gonzalez: To consider how the Police Department, Chief of Police and the Police Commission view their responsibilities to implement and enforce the laws and policies of this City such as policies governing the use of City resources to enforce federal immigration laws. Referred to Human Services Committee.

File 279-89-1. By Supervisor Gonzalez: To consider whether the safety requirements and building code provisions relevant to the safe operation of high-rise building cranes need to be revised. Referred to Public Works Committee.
File 280-89-1. By Supervisor Kennedy: To consider whether proper notice was given concerning construction at the northwest corner of Melrose and Verna Streets (Block 3032-A, Lot 23). Referred to Land Use Committee.

File 281-89-1. By Supervisor Ward: To consider merging the Department of Public Works' Bureau of Building Inspection and the Department of City Planning. Referred to Land Use Committee.

File 282-89-1. By Supervisor Gonzalez: To consider a uniform policy for imposition of user fees by all City agencies and departments. Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Maher, that letter of inquiry be sent to Library Commission to determine whether plans are contemplated for holding a public hearing in the Richmond District before proceeding further with the proposed closing of the Presidio Branch Library.

By Supervisor Nelder, that City Attorney prepare appropriate legislation which would create an unpaid consultancy to advise the Board on the creation of a code of ethics or conduct for this legislative body.

By Supervisor Nelder, that City Attorney prepare appropriate legislation outlining San Francisco Board of Supervisors Code of Ethics or Conduct.

By Supervisor Walker, that letters be sent through the Mayor to the Chief of Police and Police Commission advising them the Board of Supervisors has subpoena power and failure to appear at hearings could result in the issuance of a subpoena.

By Supervisor Kennedy, that letter be sent to Civil Service Commission transmitting copy of correspondence concerning alleged racial harassment and discrimination at the Fine Arts Museum and inquiring whether the concerns raised may be addressed.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works concerning implementation of Residential Permit Parking Program in and around the Dimasalang House on Rizal Street to determine the status of installing signs around this area.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works to determine whether stairs constructed on Mayflower near Francoina Streets may be retained.

By Supervisor Kennedy, that letter be sent to Chief of Police concerning violation of four hour parking limit at the following area: Lyell Street from Still Street to Cayuga Avenue; Cayuga Avenue from Rousseau to Badger Streets; side streets along Cayuga Avenue, Rousseau, Rotteck, Danton, Lamartine and Badger and inquiring whether police officers can be sent to investigate and enforce such violations.

By Supervisors Kennedy, Ward, Gonzalez, Maher, that City Attorney prepare appropriate legislation prohibiting the removal of children, born to San Francisco residents, to another county by the Department of Social Services.

By Supervisor Hsieh, that City Attorney draft charter amendment that would limit the size of the Board of Supervisors to seven members who serve in numbered seats on a City-wide basis.

By Supervisors Alioto and Gonzalez, that letters be sent to the various construction organizations commending them for establishing fund for the family of the people killed in the accident on November 28, 1989.

By Supervisor Gonzalez, that letter be sent to City Librarian inquiring whether the department has budgeted a portion of the $5 million bond measure to upgrade the Presidio Branch Library.

By Supervisor Gonzalez, that letter be sent to General Manager, Municipal Railway, requesting investigation and report of alleged poor service along the 14 Mission bus route.

By Supervisor Gonzalez, that letters be sent to the Mayor, Chief of Police and General Manager, Social Services Department, concerning street people using the Tick Tock establishment on Third Street as their home and hassling customers for food and money and inquiring whether the Department of Social Services can provide social service workers in the area to help resolve this matter.

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation requiring the presence and permission of a safety inspector during the operation of a large highrise building crane, especially during critical operations like installation and raising the crane to work on upper floors (patterned to existing New York law).

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation requiring personal background information be submitted to the City on the individual operator of a highrise building crane in order to obtain any building permit for a given project where a crane will be used. The operator would need to submit information assessing his/her safety record, experience and emotional stability.

By Supervisor Ward, that City Attorney prepare appropriate legislation merging the Department of City Planning and the Department of Public Works' Bureau of Building Inspection.

By Supervisor Gonzalez, that City Attorney draft appropriate legislation adopting uniform policy for the imposition of user fees by all City agencies and departments.

By Supervisors Hallinan and Maher, that letters be sent to City Librarian and Director of Public Works concerning the following inquiries: what is the structural status of the Park and Presidio Branches of the library; what are the costs and timing, including the bidding process, for restoring the two buildings to safety; what

are the explicit plans to date for use of the two libraries; what are the arrangements for the Library for the Blind at the Park Branch and storage of books at the Presidio Branch (since both plans are temporary, when will the two programs end); were neighbors of the two branches notified of the hearing of the Library Commission of an item entitled "Re-opening Park and Presidio Branches"; what exactly is the protocol on noticing those meetings; if protocol does not include notifying neighborhood organizations, what can the Library Commission do to extend notification to interested neighborhood parties?

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jeanette Grandin (Supervisor Britt)
H. Eugene Craig (Supervisors Britt, Alioto)
Paul W. Malveaux (Supervisors Ward, Kennedy)
Willie Mae Armstrong (Supervisor Ward)
Joseph Terraciano (Supervisor Hongisto)
Robert M. Almstead (Supervisor Hongisto)
Tristano Palermino (Supervisors Hongisto, Britt, Hallinan)
Walter Dunfey (Supervisor Maher)
Paul Cline (Entire Board)
Tay Holden (Entire Board)
Lonnie Boggess (Entire Board)
Steven Tilton (Entire Board)
David Graden (Entire Board)

File 2-89-48

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on MAY 7 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 49

DOCUMENTS DEPT
SEP 28 1990
SAN FRANCISCO
PUBLIC LIBRARY

Monday, December 11, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 11, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Walker, Ward - 6.

Noted absent at first roll call:

Supervisors Hongisto, Hsieh, Kennedy, Maher, Nelder - 5.

Quorum present.

Supervisor Hongisto was noted present at 2:10 p.m.

Supervisor Hsieh was noted present at 2:10 p.m.

Supervisor Kennedy was noted present at 2:10 p.m.

Supervisor Maher was noted present at 2:13 p.m.

Supervisor Nelder was noted present at 2:10 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Walker seconded by Supervisor Gonzalez moved that the Journals of Proceedings for Monday, August 7 and 14, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 10.

Absent: Supervisor Maher - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation Ordinance]
Ordinance amending Annual Appropriation Ordinance for 1989-90 to appropriate State and Federal Disaster Funds and authorizing Controller to transfer funds to credit of department which initially incurred expense relating to October 17, 1989, earthquake. (Controller)

File 101-89-54, Ordinance No. 455-89

Finally passed.

[Membership in Organization]
Ordinance amending Administrative Code, by adding organizations onto the membership list of the Employees Retirement System. (Supervisor Maher)

File 97-89-52, Ordinance No. 454-89

(Amends Section 16.6-29.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of David Kurland against the City and County by payment of $10,000. (City Attorney)

File 45-89-49, Ordinance No. 445-89

(Superior Court No. 831-537)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Joel Ventresca against the City and County by payment of $18,500. (City Attorney)

File 45-89-50, Ordinance No. 446-89

(Superior Court No. 837-926)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Stacy and Witbeck, Inc., against the City and County, et al., by payment of $250,000. (City Attorney)

File 45-89-51, Ordinance No. 447-89

(Superior Court No. 873-261)

Finally passed.

Monday, December 11, 1989

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Marion S. Lombardo against the City and County by payment of $18,000. (City Attorney)

File 45-89-52, Ordinance No. 448-89

(Superior Court No. 876-803)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Rosargentina Herrera against the City and County by payment of $24,500. (City Attorney)

File 45-89-53, Ordinance No. 449-89

(Superior Court No. 897-611)

Finally passed.

Recommendations of Governmental Operations Committee

Finally Passed

[Lease of Property]
Ordinance approving First Amendment to lease between Mission Creek Harbor Association, Inc. and the City and County, operating by and through the Port Commission. (Port)

File 173-89-5, Ordinance No. 457-89

Finally passed.

[Lease of Property]
Ordinance approving Lease L-11515 between The San Francisco Bar Pilots Benevolent and Protective Association and the City and County, operating by and through the Port Commission. (Port)

File 173-89-6, Ordinance No. 456-89

Finally passed.

Adopted

[Parking of Vehicles]
Resolution extending boundaries of Residential Permit Parking Area "G" in the Pacific Heights area and adding Steiner Street, between Bush and Sutter Streets, east side, and Sutter Street, between Steiner and Fillmore Streets, north side, to the list of streets upon which time limitations shall apply. (Department of Public Works)

File 40-89-21, Resolution No. 934-89

Adopted.

[Award of Negotiated Lease]
Resolution accepting Martin Lu as lessee of certain commercial space at Moscone Center Garage by negotiated agreement. (Real Estate Department)

File 47-89-9, Resolution No. 935-89

Adopted.

[Acceptance of Quitclaim Deeds]
Resolution authorizing acceptance of a quitclaim deed for a roadway easement and a quitclaim deed for utility easements from Bridge Housing Corporation; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 183-89-3, Resolution No. 933-89

Adopted.

Recommendation of Land Use Committee

Finally Passed

[Zoning Map Amendment]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located in the block bounded by Golden Gate Avenue, Hyde, Larkin, and McAllister Streets, Lots 10, 11, 12, 13, 14 and 15 in Assessor's Block 347 from a C-3-G (Downtown General Commercial) District to an RC-4 (Residential-Commercial Combined, High Density) District from an 80-X to 80-T Height and Bulk District and amending the boundaries of the North of Market Residential Special Use District to include these properties, and adopting findings pursuant to City Planing Code Section 101.1. (Department of City Planning)

File 36-89-3, Ordinance No. 452-89

Finally passed.

Special Earthquake Recovery Committee

Finally Passed

[Earthquake Emergency Relief Fund]
Ordinance amending Administrative Code, providing that interest earned from the Mayor's Earthquake Emergency Relief Fund shall become part of the principal thereof. (Supervisor Walker)

File 97-89-49.1, Ordinance No. 453-89

(Amends Section 10.117-90.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 10.

Absent: Supervisor Maher - 1.

Monday, December 11, 1989

REGULAR CALENDAR

UNFINISHED BUSINESS
From Finance Committee Without Recommendation

Finally Passed

[Government Funding]
Ordinance appropriating $132,642, Public Health - Central Office, San Francisco General Hospital and Community Mental Health Services, for permanent salaries-miscellaneous; rescinding $178,468 from permanent salaries - nurses, permanent salaries-miscellaneous and related mandatory fringe benefits, for the creation of seven positions and the deletion of five positions and the establishment of the new classification 2218 Physician Assistant. (Controller)

File 101-89-50, Ordinance No. 450-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 10.

Absent: Supervisor Maher - 1.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Department of Public Health, Central Office, San Francisco General Hospital and Community Mental Health Services, reflecting the establishment of the new position classification 2218 Physician Assistant and the reallocation of five positions (Classifications 2328 Nurse Practitioner, 2230 Physician Specialist). (Civil Service Commission)

File 102-89-18, Ordinance No. 451-89

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 10.

Absent: Supervisor Maher - 1.

From the Clerk

Adopted

(Supervisors Hongisto and Ward absent from hearing.)

[Findings]
Motion adopting findings for the approval of a conditional use permit of property located at 2408 California Street with additional conditions.

File 37-89-8.4

Monday, December 11, 1989

Supervisors Hongisto and Ward Excused From Voting

Supervisors Hongisto and Ward requested to be excused from voting because they were not present during the public hearing.

Thereupon, Supervisor Kennedy, seconded by Supervisor Walker, moved to excuse Supervisors Hongisto and Ward from voting.

Motion to excuse Supervisors Hongisto and Ward from voting.

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward -11.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Excused: Supervisors Hongisto, Ward - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $133,626, City Planning, for permanent salaries, temporary salaries and related mandatory fringe benefits, overtime, other contractual services, court reporter transcripts, telephone, office supplies, minor furnishing, furniture and services of other departments - Building Repair, for the creation of one position, Classification A009 Deputy Zoning Administrator and deletion of one position, Classification 5283 Planner V - Urban Design. (Controller)

File 101-89-56, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Department of City Planning, reflecting the addition and the deletion of one position in the Department of City Planning; companion measure to File 101-89-56. (Civil Service Commission)

File 102-89-21, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

[Government Funding]
Ordinance appropriating $466,005, Airport Commission, for overtime, professional and special services and materials and supplies; providing for ratification of action previously taken. (Controller)

File 101-89-58, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Adopt-A-Tree-Fund]
Ordinance amending the San Francisco Administrative Code by amending Section 10.117-77 thereto, establishing an Adopt-A-Tree Special Fund for the receipt of monies for the planting and maintenance of trees under the jurisdiction of the Department of Public Works, by permitting the Department to spend the money in the funds, consistent with the purposes of the fund, without the need to seek additional approvals. (Department of Public Works)

File 97-89-55, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted as Amended

[Emergency Repair Work]
Resolution approving declaration of emergency, San Francisco International Airport emergency earthquake repair work - terminals, Airport Contract No. 2263. Construction Budget - $5,000,000. (Airport Commission)

File 28-89-20, Resolution No. 926-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted as Amended

[Emergency Repair Work]
Resolution authorizing the Director of Public Works to take necessary measures in the amount of $544,297 to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to restore the integrity of the sewer at the crossing of Highway 101 at Joy Street. (Department of Public Works)

File 28-89-21, Resolution No. 932-89

Supervisor Kennedy, seconded by Supervisor Alioto, moved to amend title, line two, after the word "measures" by inserting "in the amount of $544,297".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

From Finance Committee Without Recommendation

Passed for Second Reading

[Government Funding]
Ordinance appropriating $932,184, Municipal Railway and Public Utilities Commission, for permanent salaries-miscellaneous and related mandatory fringe benefits, professional medical services, uniforms and services of other departments Public Health; rescinding $932,184 from Municipal Railway Stores Revolving Fund, for the creation of thirteen positions for Municipal Railway and creation of one position for Public Utilities Commission; placing $93,000 on reserve (drug testing program). (Controller)

File 101-89-60, Ordinance No.

Requests Granted

Supervisor Hallinan, seconded by Supervisors Maher and Ward, moved that letter be sent to City Attorney requesting she look into filing litigation to test the constitutionality of the provisions of the Federal UMTA program requirements concerning random testing of all Muni employees without any requirements of probable cause and testing after all accidents with damage in excess of $5,000.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Gonzalez - 1.

Clerk directed to comply.

In response to Supervisor Hongisto's inquiry, Deputy City Attorney Ted Lakey stated the City Attorney will not actually initiate litigation without first reporting to the Board of Supervisors.

Supervisor Gonzalez requested Journal of Proceedings to reflect had he been present he would have voted "aye" on the question of adoption on the above motion.

Supervisor Hallinan, seconded by Supervisor Walker, moved that the Clerk of the Board be directed to send letter to his Honor, the Mayor, urging him to urge the Public Utilities Commission through the Municipal Railway to implement the memorandum of understanding with the union before beginning drug testing.

Motion adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker - 7.

Absent: Supervisors Alioto, Maher, Nelder, Ward - 4.

Clerk directed to comply.

Supervisor Nelder moved to reduce the appropriation to $150,000 to cover the cost of testing without increase in staff.

Motion lost for want of a second.

Privilege of the Floor

There being no objection, on motion by Supervisor Walker, seconded by Supervisor Hongisto, the privilege of the floor was granted to Larry Martin, Transport Workers Union.

After a period of discussion, Supervisor Gonzalez, seconded by Supervisors Nelder and Hsieh, moved the previous question.

The Clerk then stated, "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisors Hallinan, Nelder - 2.

Absent: Supervisor Hongisto - 1.

Passed for Second Reading

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Municipal Railway, reflecting the addition of thirteen positions; Public Utilities Commission, reflecting the addition of one position; companion measure to File 101-89-60. (Civil Service Commission)

File 102-89-24, Ordinance No.

(A013 Drug Testing Program Manager, A014 Drug Testing Program Analyst, 1446 Secretary II and (10) 9139 Transit Supervisors; 1242 Personnel Analyst.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Noes: Supervisors Hallinan, Nelder - 2.

Absent: Supervisor Hongisto - 1.

Recommendation of Human Services Committee

Adopted

[Human Rights Commission Recommendations - Police Department]
Resolution urging the Mayor to urge the Police Commission, and urging the Mayor to urge the Police Commission to urge the Police Chief, to consider and implement the November 8, 1989 recommendations of the Human Rights Commission, including the recommendations regarding police handling of public demonstrations, police officer training for crowd control, and citizen control of the San Francisco Police Department, and the recommendations of the Bar Association of San Francisco for improving the disciplinary and investigative system of the Police Commission, Police Department and the Office of Citizen Complaints. (Supervisors Walker, Hallinan, Gonzalez, Alioto)

File 207-89-10, Resolution No. 980-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisor Nelder - 1.

Absent: Supervisor Hongisto - 1.

Recommendations of Governmental Operations Committee

Adopted

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau to apply for, accept and expend a grant of $262,618 from the Federal Bureau of Maternal and Child Health for continuation of case management services for fiscal years 1989-90 and 1990-1991. (Mayor)

File 146-89-67, Resolution No. 936-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Street Vacation]
Resolution declaring intention of Board of Supervisors to vacate a portion of Channel Street west of Fifth Street and the intersection of Sixth and Channel Streets; and setting January 16, 1990 as hearing date for all persons interested in the proposed vacation. (Department of Public Works)

File 198-89-6, Resolution No. 937-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

From the Clerk

Adopted

[Condominiums]
Motion approving final map of 201 Laguna Street, a condominium, being a resubdivision of Lot 28 in Assessor's Block 851; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-27

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Condominium Project]
Motion approving final map of Bayside Village III - 2 Bayside Village Place, 3 Bayside Village Place and 501 First Street, a condominium project, being a resubdivision of Lot 5 in Assessor's Block 3773; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-28

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

[Condominiums]
Motion approving final map of 3615 Buchanan Street, a condominium, being a resubdivision of Lot 6 in Assessor's Block 460A; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-29

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Announcement

President Britt stated the closed session with the Chief of Police and President, Police Commission, which was to take place December 4, 1989 was postponed because various persons were out of town and he has requested their presence today.

Recess

At the request of President Britt, the Board recessed at the hour of 3:26 p.m. to convene in closed session pursuant to Government Code Section 54956.9(a) to meet with the Chief of Police; President, Police Commission and the City Attorney concerning the following litigations: the incident on March 21, 1989 at the Federal Building in San Francisco involving demonstrations against U.S. involvement in El Salvador; the 1988 incident at Union Square involving demonstrations relating to presence of then Vice-President George Bush and the October 12, 1986 incident at Union Espanola Spanish Cultural Center on Alemany Boulevard involving opposing groups of demonstrators related to the Nicaragua Contras and pursuant to Government Code Section 54956.9(b)(1) concerning the October 6, 1989 incident on Castro Street involving demonstrations against AIDS policies.

Reconvening of the Board

The Board, at the hour of 4:56 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder - 6.

Noted absent:

Supervisors Alioto, Hongisto, Maher, Walker, Ward - 5.

Quorum present.

Supervisor Alioto was noted present at 4:58 p.m.

Supervisor Hongisto was noted present at 5:51 p.m.

Supervisor Maher was noted present at 4:58 p.m.

Supervisor Walker was noted present at 4:58 p.m.

Supervisor Ward was noted present at 5:07 p.m.

Monday, December 11, 1989

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney concerning pending litigations as provided in the Government Code.

COMMITTEE REPORTS

From Governmental Operations Committee

Adopted

[Lease of Property]
Resolution authorizing lease of real property at 1095 Market Street, Rooms 201 and 202, for offices for the Delinquency Prevention Commission. (Real Estate Department)

File 64-89-39, Resolution No. 931-89

Supervisor Gonzalez presented as a recommendation of Committee.

Supervisor Gonzalez, seconded by Supervisor Nelder, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: SUpervisor Hongisto - 1.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Recommendation of Governmental Operations Committee

Adopted

[Lease of Property]
Resolution authorizing lease of real property at 25 Van Ness Avenue, portion of Third and Fourth Floors, Suites 325 and 425, for offices for the Human Rights Commission.

File 64-89-40, Resolution No. 938-89

Supervisor Gonzalez presented as recommendation of Governmental Operations Committee.

Supervisor Gonzalez, seconded by Supervisor Nelder, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Ace Washington.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-89-49, Resolution No. 928-89

(Arnold Chin, member, Parking Authority, December 9 - 14; Donald R. Stephens, member, Airports Commission, December 19 - January 1, 1990.)

Adopted.

[Presidio Branch Library]
Resolution urging the Mayor to urge the Department of Public Works, the Library Commission and the City Librarian to explore every available means of restoring the Presidio Branch Library to its pre-earthquake level of service and maintaining it at its present location. (Supervisor Nelder)

File 192-89-2, Resolution No. 939-89

Adopted.

[Grant State Funds]
Resolution authorizing application for and acceptance by the Public Health Department of fiscal year 1989-90 funding up to $24 million from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds. (Supervisor Britt)

File 146-89-73, Resolution No. 927-89

Adopted.

Monday, December 11, 1989

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker - 7.

Absent: Supervisors Alioto, Maher, Nelder, Ward - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map Amendment]
Ordinance amending City Planning Code by amending the Zoning Map for certain properties in the Bernal Heights area generally bounded in the north and east area by Army, Folsom and Powhattan Streets; in the north-west area by Folsom and Courtland Streets; and in the Holly Park area by Alemany and Courtland Streets; and to reclassify these properties from RH-2 to RH-1 and from RH-3 to RH-2. (Supervisors Walker and Maher presented.) Referred to Land Use Committee.

File 36-89-5

Adopted

[Federal Legislation]
Resolution supporting HR 3751, the Ocean Protection Act of 1990.

File 13-89-18 Resolution No. 929-89

Supervisor Alioto presented for immediate adoption.

Supervisor Walker, seconded by Supervisor Alioto, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Nelder, Maher, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

Resolution adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker - 7.

Absent: Supervisors Alioto, Maher, Nelder, Ward - 4.

Referred to Committee

[El Salvador]
Resolution calling for the release of Isaias Mata and Imelda Iraeta by government officials in El Salvador and condemning the closing of the University of El Salvador, the systematic arrest and murder of civilians who work in humanitarian organizations in El Salvador and calling upon the United States government to suspend all military and economic aid to El Salvador until the Salvadoran government can demonstrate respect for human rights. (Supervisor Britt presented.) Referred to Human Services Committee.

File 13-89-19

Adopted

[Gift Acceptance]
Resolution authorizing acceptance by the Mayor or his designee a gift of 3,000 blankets from the National Federation of Indio-American on behalf of the Asian-Indian Community for distribution to homeless people.

File 38-89-24, Resolution No. 930-89

Supervisor Hongisto presented for immediate adoption.

Supervisor Hongisto, seconded by Supervisor Hsieh, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker - 7.

Absent: Supervisors Alioto, Nelder, Maher, Ward- 4.

Resolution adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker - 7.

Absent: Supervisors Alioto, Maher, Nelder, Ward - 4.

Referred to Committee

[Waiver of Fees, Street Closing]
Resolution waiving fees to reimburse the Municipal Railway for added expenses incurred by it during the hours of street closure, approved by Resolution No. 883-89, for the purpose of conducting the Marina Renaissance event to celebrate the revitalization of the Marina following the October 17, 1989 earthquake. (Supervisor Maher presented.) Referred to Finance Committee.

File 42-89-41.1

Monday, December 11, 1989

Referred to Board

[Household Hazardous Waste Collection Program]
Resolution approving continuation of Household Hazardous Waste Collection Program agreement between Sanitary Fill Company, the Health Commission and the Chief Administrative Officer, including a hold harmless provision. (Supervisor Walker presented on behalf of the Chief Administrative Officer.) Referred to Board December 18, 1989 Immediate Adoption Calendar.

File 128-89-7

Referred to Committee

[Membership, Local Coordinating Committee]
Resolution approving the membership of the Local Coordinating Committee established by the County Superintendent of Schools to assist in developing and implementing a comprehensive alcohol and drug prevention education plan in San Francisco Public Schools. (Supervisor Britt presented.) Referred to Rules Committee.

File 92-89-54

[Commendation, Pacific Gas and Electric Company]
Resolution commending the management and employees of Pacific Gas & Electric Company (PG&E) for exemplary performance of duty during the state of emergency following the earthquake on October 17, 1989. (Supervisor Hongisto presented.) Referred to Earthquake Recovery Committee.

File 270-89-30.12

[Commission for Children, Youth and Families]
Draft Charter amendment establishing a Commission for Children, Youth and Families. (Supervisor Ward presented.) Referred to Rules Committee.
File 284-89-1

[Off-year Elections]
Charter amendment (skeletal) amending various sections to eliminate off-year elections, thus consolidating the election of the Mayor, City Attorney and Treasurer. (Supervisor Britt presented.) Referred to Rules Committee.

File 285-89-1

Requests for Hearings

File 40-89-22, By Supervisor Hallinan: To consider implementing residential permit parking program in Cole Valley. Referred to Public Works Committee.

File 165-89-3, By Supervisor Gonzalez: To consider update of Budget Analyst's September 1, 1989 report on City leases. Referred to Governmental Operations Committee with request it be considered at the December 18, 1989 meeting.

File 219-89-8, By Supervisor Gonzalez: To consider installation of permanent traffic barriers at the deadend portion of Ellis Street, west of Laguna Street. Referred to Public Works Committee.

File 283-89-1. By Supervisor Ward: To consider charter amendment which would increase the size of all commissions of the City of San Francisco to a total membership of seven. Referred to Rules Committee.

File 287-89-1. By Supervisor Gonzalez: To consider charter amendment which would require that two members be added to the City Health Service System Board which would be mayoral appointees and be a dentist and a pharmacist. Referred to Rules Committee.

File 288-89-1. By Supervisor Kennedy: To consider proposals to retain the San Francisco Ice Rink. Referred to Human Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to Chief Probation Officer, Juvenile Court, concerning an article in the newspaper regarding placement of six youths in housing outside of the Youth Guidance Center at a cost of $5,731 and requesting a breakdown on how these funds are being expended.

By Supervisor Kennedy, that City Attorney draft appropriate legislation which will establish as a condition to authorization of permits allowing excavation, that applicant notify utility companies that excavation is planned, detailing the work and area to be done and inviting the utility companies to coordinate undergrounding with the excavation.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works to determine whether permits authorizing excavation may be accompanied by appropriate notice to utility companies and that undergrounding of utilities may be appropriately performed in a coordinated fashion with the excavation.

By Supervisor Nelder, that Clerk provide to each Supervisor a list of elected officials, heads of departments and Office of Emergency Services with office and home telephone numbers.

By Supervisor Walker, that letters be sent to Health Department and Board of Education requesting status on health care services in public school system as approved by the fiscal 1989-90 annual budget.

By Supervisors Walker, Hongisto and Hsieh, that letter of inquiry be sent to President and General Manager, Public Utilities Commission concerning their plans to transform 550 acres of pristine water shed land in southern Alameda County into an 1,800-unit housing subdivision, with an 18-hole golf course, parks, schools, shops and offices and requesting response no later than January 1, 1990.

By Supervisor Ward, that City Attorney prepare appropriate charter amendment which would increase the size of all commissions of the City of San Francisco to a total membership of seven.

By Supervisor Britt, that City Attorney prepare appropriate legislation extending the terms of the Peninsula Corridor Study Joint Powers Board agreement.

By Supervisor Gonzalez, that City Attorney prepare charter amendment which would require two members be added to the City Health Service System Board which would be mayoral appointees and be a dentist and a pharmacist.

By Supervisor Gonzalez, that letter be sent to Director of Public Works requesting investigation and report on feasibility of installing a permanent traffic barrier at the deadend portion of Ellis Street west of Laguna Street.

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation which would require landlords to institute earthquake emergency guidelines pertaining to utilities and gas shutoff valves.

By Supervisor Gonzalez, that letters be sent to Chief of Police and General Manager, Municipal Railway, inquiring whether each addressee can investigate citizen's concerns about increased crime and vagrancy at the Harvey Milk Plaza and the vicinity of the Castro Street Muni Station and advise what action can be taken to alleviate the problem.

By Supervisor Gonzalez, that letter be sent to General Manager, Municipal Railway, requesting investigation and comment regarding 20 to 30 minutes delay of bus service on the Number 15 Third/Palou bus line.

Adopted

Motion extending the termination date of the Earthquake Recovery Committee of the Board of Supervisors from December 31, 1989 to February 28, 1990.

File 270-89-22.3.

Supervisor Walker presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Walker -7.

Absent: Supervisors Alioto, Maher, Nelder, Ward -4.

Referred to Committee

Motion ordering submission of an ordinance amending the Administrative Code by adding Sections 10.98 and 10.98-1 to establish a Graffiti Clean-up and Education Fund and specifying the purposes therefor and amending Part III, San Francisco Municipal Code by adding Article 12B-1 to provide that any business which owes a payroll expense tax or business tax may elect to designate a certain portion of the tax for deposit in the Graffiti Clean-up and Education Fund.

(Supervisor Gonzalez presented.) Referred to Rules Committee.

Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

The Women killed in Canada (Supervisor Walker on behalf of the entire Board)

File 2-89-49

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:02 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 14, 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 84 No. 50

DOCUMENTS DEPT.
SEP 28 1990
SAN FRANCISCO
PUBLIC LIBRARY

Monday, December 18, 1989

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 18, 1989 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Harry G. Britt presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Walker - 6.

Noted absent at first roll call:

Supervisors Hongisto, Hsieh, Maher, Nelder, Ward - 5.

Quorum present.

Supervisor Hongisto was noted present at 2:16 p.m.

Supervisor Hsieh was noted present at 2:08 p.m.

Supervisor Maher was noted present at 2:08 p.m.

Supervisor Nelder was noted present at 2:07 p.m.

Supervisor Ward was noted present at 2:08 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Walker, moved that the Journal of Proceedings for Monday, August 21, 1989, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Nelder, Walker - 7.

Absent: Supervisors Hongisto, Hsieh, Maher, Ward - 4.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hallinan requested that the following measure be severed from the Consent Calendar and considered separately.

Monday, December 18, 1989

Recommendation of Governmental Operations Committee

Passed for Second Reading

[Lease of Property]
Ordinance authorizing and approving lease of City-owned property located at the intersection of Del Vale Avenue and O'Shaughnessy Boulevard to the Miraloma Park Improvement Club for an automobile parking lot. (Real Estate Department)

File 65-89-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating $466,005, Airports Commission, for overtime, professional and special services and materials and supplies; providing for ratification of action previously taken. (Controller)

File 101-89-58, Ordinance No 459-89

Finally passed.

[Adopt-A-Tree-Fund]
Ordinance amending the San Francisco Administrative Code by amending Section 10.117-77 thereto, establishing an Adopt-A-Tree Special Fund for the receipt of monies for the planting and maintenance of trees under the jurisdiction of the Department of Public Works, by permitting the Department to spend the money in the funds, consistent with the purposes of the fund, without the need to seek additional approvals. (Department of Public Works)

File 97-89-55, Ordinance No. 458-89

Finally passed.

Adopted

[Employee Replacement]
Resolution approving the immediate filling of vacated position of 7258 Maintenance Machinist Supervisor I, Central Shops, Purchasing Department. (Purchasing Department)

Monday, December 18, 1989

File 31-89-28, Resolution No. 941-89

Adopted.

[Employee Replacement]
Resolution approving immediate filling of a vacated position of 1881 Assistant Director, Controller's Office - Information Service Division. (Controller)

File 31-89-29, Resolution No. 953-89

Adopted.

Recommendations of Governmental Operations Committee

Adopted

[Lease of Property]
Resolution authorizing lease of real property at 25 Van Ness Avenue, Suite 310, for offices for the Public Administrator/Guardian. (Real Estate Department)

File 64-89-38, Resolution No. 952-89

Adopted.

[Lease of Real Property]
Resolution authorizing lease of real property at 1212 Market Street, portion of first floor, for offices for the Controller's Information Services Division (ISD) education center, for the Controller's Office. (Real Estate Department)

File 64-89-41, Resolution No. 951-89

Adopted.

[Grant - State Funds]
Resolution authorizing the City Librarian to accept and expend funds not to exceed $2,975 available through the Library Services and Construction Act for fiscal year 1989/90 for the purchase and installation of a telefacsimile machine at the Chinatown Branch Library which will be used to share materials through telefacsimile transmission with other California libraries. (Public Library)

File 147-89-5, Resolution No. 950-89

Adopted.

[Grant - State Funds]
Resolution authorizing the Director of Public Works to apply for, accept and expend State Natural Disaster Assistance Funds in the amount of $819,000 to repair earthquake-damaged streets located off the Federal-Aid Highway System and authorizing the Director of Public Works to proceed with the work under emergency contract. (Department of Public Works)

File 148-89-7, Resolution No. 949-89

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Director of Public Works to apply for, accept and expend Federal Emergency Management Administration Disaster Assistance Funds in the amount of $2,457,000 to repair earthquake-damaged streets located off the Federal-Aid Highway System and authorizing the Director of Public Works to proceed with the work under emergency contract. (Department of Public Works)

File 148-89-8, Resolution No. 948-89

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Hongisto - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Government Funding]
Ordinance appropriating $133,626, City Planning, for permanent salaries, temporary salaries and related mandatory fringe benefits, overtime, other contractual services, court reporter transcripts, telephone, office supplies, minor furnishing, furniture and services of other departments Building Repair, for the creation of one position, Classification A009 Deputy Zoning Administrator and deletion of one position, Classification 5283 Planner V - Urban Design. (Controller)

File 101-89-56, Ordinance No.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to January 2, 1990, to allow further review and advice from the City Attorney concerning whether creation of this position is in violation of the Charter.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker - 9.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Ward 1.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Department of City Planning, reflecting the addition and the deletion of one position in the Department of City Planning; companion measure to File 101-89-56. (Civil Service Commission)

File 102-89-21, Ordinance No.

Supervisor Nelder, seconded by Supervisor Walker, moved to continue consideration to January 2, 1990.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Maher, Nelder, Walker - 9.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Ward - 1.

From Finance Committee Without Recommendation

Finally Passed

[Government Funding]
Ordinance appropriating $932,184, Municipal Railway and Public Utilities Commission, for permanent salaries-miscellaneous and related mandatory fringe benefits, professional medical services, uniforms and services of other departments - Public Health; rescinding $932,184 from Municipal Railway Stores Revolving Fund, for the creation of thirteen positions for Municipal Railway and creation of one position for Public Utilities Commission; placing $93,000 on reserve (drug testing program). (Controller)

File 101-89-60, Ordinance No. 444-89

After a period of discussion, Supervisor Alioto, seconded by Supervisors Walker and Nelder, moved the previous question.

The Clerk then stated, "Shall the previous question be now put?".

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

The roll was then called on the pending ordinance and it was finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisors Hallinan, Nelder - 2.

Request Granted

Supervisor Hallinan, seconded by Supervisor Alioto, moved that the Clerk be directed to send letter to the City Attorney advising her AC Transit obtained a restraining order against enforcement of random drug testing and the Transport Workers Union will attempt to do the same on Thursday and the City Attorney is requested to represent the Board at that hearing.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker - 8.

Absent: Supervisors Maher, Nelder, Ward - 3.

Clerk directed to comply.

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Municipal Railway, reflecting the addition of thirteen positions; Public Utilities Commission, reflecting the addition of one position; companion measure to File 101-89-60. (Civil Service Commission)

File 102-89-24, Ordinance No. 443-89

(A013 Drug Testing Program Manager, A014 Drug Testing Program Analyst, 1446 Secretary II and (10) 9139 Transit Supervisors; 1242 Personnel Analyst.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Noes: Supervisors Hallinan, Nelder - 2.

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Appropriations]
Resolution establishing the appropriations limit for fiscal year 1989-90 pursuant to California Constitution Article XIII B. (Controller)

File 101-89-55, Resolution No. 947-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Monday, December 18, 1989

Consideration Continued

(Supervisor Hallinan dissenting in Committee.)

[Government Funding]
Ordinance appropriating $51,497, Mayor's Office of Housing, (Affordable Housing Action Plan) for permanent salaries and related mandatory fringe benefits and property rental, for the creation of two positions. (Controller)

File 101-89-57, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Nelder, moved to continue consideration to January 2, 1990.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

(Supervisor Hallinan dissenting in Committee.)

[Public Employment]
Ordinance amending Annual Salary Ordinance 1989-90, Mayor's Office, reflecting the addition of two positions, Classifications 5410 Intergovernmental Affairs Coordinator and 9786 Assistant to Mayor III; companion measure to File 101-89-57. (Civil Service Commission)

File 102-89-22, Ordinance No.

Supervisor Nelder, seconded by Supervisor Hallinan, moved to continue consideration to January 2, 1990.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $40,000, Commission on the Status of Women, for professional and special services (legal assistance for restraining order), for fiscal year 1989-90. (Supervisor Walker)

File 101-89-63, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Government Funding]
Ordinance appropriating $23,150, Police Department, for program project budget (overtime-uniform and materials and supplies). (Controller)

File 101-89-64, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Government Funding]
Ordinance appropriating $223,990, Mayor's Office of Community Development, for professional - special service contracts, temporary salaries (Dispute Resolution Program); and providing for ratification of action previously taken. (Controller)

File 101-89-66, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

[Advertising Transit Shelters]
Ordinance approving first amendment to Advertising Transit Shelter Agreement between City and County, through its Public Utilities Commission, and Gannett Outdoor Company, Inc., of Northern California. (Public Utilities Commission)

File 7-89-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Alioto - 1.

[Market Street Art Maintenance, Art Acquisition and Youth Arts Fund]
Ordinance amending the Administrative Code, establishing three special funds: (1) for the receipt of revenue from Transit Shelter Advertising on Market Street for the purpose of maintenance of public art on Market Street; (2) for acquiring public art for Market Street; and (3) for providing programs and other opportunities for the talents and creativity of young artists; companion measure to File 7-89-7. (Public Utilities Commission)

File 97-89-51, Ordinance No.

(Adds Sections 10.117-93, 10.117-94, and 10.117-95.)

Passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Alioto - 1.

[Credit Cards]
Ordinance amending the Administrative Code, to authorize the Health Commission of the City and County to accept payments by credit cards at San Francisco General Hospital and Laguna Honda Hospital. (Supervisor Kennedy)

File 97-89-12, Ordinance No.

(Adds Section 10.11-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Gonzalez - 1.

[Controller's Quarterly Audit of the Treasurer]
Ordinance amending the Administrative Code, directing the Controller to audit on a quarterly basis the accounts of the Treasurer. (Controller)

File 97-89-57, Ordinance No.

(Adds Section 10.6-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Adopted

[Employee Replacement]
Resolution approving immediate filling of vacated position of 1934 Storekeeper, Port of San Francisco. (Port)

File 31-89-27, Resolution No. 946-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Gonzalez - 1.

[Sewage Treatment Works Construction Financing]
Resolution finding and determining that the Mariposa Transport/Storage Facilities Project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed approximately $9 million. (Supervisor Walker)

File 53-89-4, Resolution No. 963-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

[Sewage Treatment Works Construction Financing]
Resolution finding and determining that the Oceanside Water Pollution Control Plant Project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed approximately $85 million. (Supervisor Walker)

File 53-89-5, Resolution No. 962-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 10.

Noes: Supervisor Nelder - 1.

[Hetch Hetchy Electric Rates]
Resolution making a finding that no tax subsidy will be required by Hetch Hetchy Water and Power by reason of approval of proposed revised schedule of rates to be charged for furnishing Hetch Hetchy power to the municipal departments of the City and County, and six small private customers. (Public Utilities Commission)

File 278-89-1, Resolution No. 961-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 11.

From Finance Committee
With Recommendation "Do Not Pass"

Refused Adoption

[Hetch Hetchy Electric Rates]
Resolution disapproving revised schedule of rates for furnishing Hetch Hetchy power to the municipal departments of the City and County, and to six small private customers; companion measure to File 278-89-1. (Public Utilities Commission)

File 278-89-1.1, Resolution No.

Refused adoption by the following vote:

Noes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Recommendations of Governmental Operations Committee

Monday, December 18, 1989

Adopted

[Public Transportation]
Resolution amending the Golden Gate Bridge, Highway and Transportation District's shopper shuttle bus service route between the Ferry Building and Union Square annually during the Christmas holiday season. (Department of Public Works)

File 55-89-1, Resolution No. 960-89

Request Granted

Supervisor Nelder requested that the Clerk communicate with Golden Gate Bridge, Highway and Transportation District, concerning shopper shuttle bus service route between the Ferry Building and Union Square, urging the District to make sure as many buses that are accessible to the disabled are provided on this route and still maintain accessibility for the disabled along the regular routes and requesting information on how many will be provided this year.

No objection and Clerk directed to comply.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 9.

Noes: Supervisor Gonzalez - 1.

Absent: Supervisor Ward - 1.

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding with Transport Workers Union Local 250A (employer "pick-up" of employee retirement contributions). (Employee Relations Division)

File 93-89-23, Resolution No. 959-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Jurisdictional Transfer]
Resolution transferring jurisdiction from the Department of Public Works to the Water Department of vacated portion of the former Crescent Avenue west of Putnam Street to be used as a leased parking area in exchange for a surplus portion of Water Department property to be dedicated as a realigned portion of Crescent Avenue; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 199-89-3, Resolution No. 958-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution confirming Mayor's appointment of a member of the Parking and Traffic Commission; approving the Mayor's proposal that the members of that commission also serve ex-officio as members of the Parking Authority of the City and County. (Rules Committee)

File 33-89-8, Resolution No. 957-89

(Sonia Melara, vice herself, term expired, for the four-year term ending December 5, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the Emergency Medical Care Committee. (Rules Committee)

File 92-89-15, Resolution No. 956-89

(Ginger Ayala, vice Timothy Marzen (at-large provider), term expired, for a three-year term ending June 30, 1992.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the Hazardous Materials Advisory Committee. (Rules Committee)

File 92-89-22, Resolution No. 955-89

(Kathryn Burkett Dickson, public interest, vice Peter H. Weiner, term expired, for a four-year term ending July 1, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the Park and Open Space Advisory Committee. (Rules Committee)

File 92-89-24, Resolution No. 954-89

(Bonnie Fisher, vice Florinda Kuan, term expired, for two-year term ending July 15, 1991.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

(Supervisor Kennedy dissenting in Committee.)

[Appointment]
Resolution nominating a member for appointment by the Mayor to the Citizens' Advisory Committee on Elections (Rules Committee)

File 92-89-27, Resolution No. 977-89

(Brian Mavrogeorge, vice Joseph C. Chung, resigned, for the unexpired portion of the four-year term ending May 16, 1990.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointments]
Resolution appointing members to the Maternal Child and Adolescent Health Board, terms expired, for three-year terms ending August 31, 1992. (Rules Committee)

File 92-89-32.3, Resolution No. 976-89

(Mary C. Costello, parent, vice herself;
Meredith Cahn, parent, vice Lucille Brown;
Barbara Williamson, vice Janet Perino;
Margaret Royce, nurse, vice Jean Neeson.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the Drug Abuse Advisory Board. (Rules Committee)

File 92-89-40, Resolution No. 975-89

(Elizabeth Tarango, vice herself, term expired, for three-year term ending October 1, 1992.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

(Supervisor Kennedy dissenting in Committee.)

[Appointment]
Resolution appointing member to the Mental Health Advisory Board. (Rules Committee)

File 92-89-43, Resolution No. 974-89

(M. Roy Crew, consumer, vice Kenneth A. Ladeira, resigned, for the unexpired portion of three-year term ending January 31, 1990.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the Task Force on Service Station Conversions. (Rules Committee)

File 92-89-44, Resolution No. 973-89

(James L. Haden, major oil company, for the 18-month term ending March 13, 1991.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the League of California Cities, Peninsula Division. (Rules Committee)

File 92-89-45, Resolution No. 972-89

(Supervisor Nancy G. Walker, vice Supervisor Tom Hsieh, resigned, for an indefinite term.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointments]
Resolution appointing members to the Mental Health Advisory Board, terms expiring January 31, 1990, for three-year terms ending January 31, 1993. (Rules Committee)

File 92-89-47.1, Resolution No. 971-89

(Byron Ho, public interest;
Keith Armstrong, social worker.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

(Supervisor Kennedy dissenting in Committee.)

[Appointment]
Resolution appointing member to the Mental Health Advisory Board, term expiring January 31, 1990, for three-year term ending January 31, 1993. (Rules Committee)

File 92-89-47.2, Resolution No. 970-89

(M. Roy Crew, consumer.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the Hazardous Waste Management Plan Advisory Committee (Rules Committee)

File 92-89-48, Resolution No. 969-89

(Howard Strassner, Hazardous Materials Advisory Committee, vice Dede Hapner, resigned, term indefinite.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Appointment]
Resolution appointing member to the Hazardous Materials Advisory Committee. (Rules Committee)

File 92-89-50, Resolution No. 968-89

(Diane Bush, public interest, vice Robin Dewey, resigned, for unexpired portion of a four-year term ending July 1, 1991.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

(Supervisors Alioto and Maher excused from Voting in Committee.)

[Appointment]
Resolution nominating members for appointment by the Senate Rules Committee to the California Coastal Commission (North Central Coast Region). (Rules Committee)

File 92-89-52, Resolution No. 967-89

(Supervisor Angela Alioto;
Supervisor Bill Maher.)

Supervisors Alioto and Maher Excused From Voting

There being no objection, on motion of Supervisor Kennedy, seconded by Supervisor Ward, Supervisors Alioto and Maher excused from voting.

The roll was called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker, Ward - 9.

Excused: Supervisors Alioto, Maher - 2.

[Appointment]
Resolution appointing member to the North Coastal Counties Supervisors Association (Rules Committee)

File 92-89-53, Resolution No. 978-89

(Supervisor Nancy G. Walker, vice herself, term expired, for one-year term ending December 31, 1990.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

[Zoo Advisory Committee]
Resolution re-establishing the Zoo Advisory Committee through January 31, 1990 to complete its task of reviewing conditions at the San Francisco Zoo and report the findings to the Public Works Committee of the Board of Supervisors. (Supervisor Nelder)

File 248-89-4, Resolution No. 979-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

From Rules Committee Without Recommendation

Passed for Second Reading

[Conflict of Interest Code]
Ordinance adopting by reference as the Conflict of Interest Code for certain agencies of the City and County, the provisions of the Model Conflict of Interest Code adopted by the California Fair Political Practices Commission, providing for the filing of statements of economic interests, disclosure categories, designated positions, and filing officers, by amending the Administrative Code. (Rules Committee)

File 76-88-1, Ordinance No.

(Adds Chapter 58.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Walker assumed the Chair so the President could participate in the debate from the floor.

In response to Supervisor Hsieh's inquiry, Deputy City Attorney Ted Lakey stated that if a decision is made to add someone to the legislation it would require a public hearing.

In response to Supervisor Walker's inquiry, Mr. Lakey indicated that under State law the City is required to have a conflict of interest code. The issue concerning what positions to place in the code is left to the discretion of the local agency. There is a conflict of interest code now in existence. This legislation merely updates it.

Supervisor Hsieh, seconded by Supervisor Maher, moved to rerefer to Committee.

Motion to rerefer to Committee refused adoption by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Maher - 4.

Noes: Supervisors Britt, Gonzalez, Hongisto, Kennedy, Nelder, Walker - 6.

Absent: Supervisor Ward - 1.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Nelder, Walker - 7.

Noes: Supervisors Alioto, Kennedy, Maher - 3.

Absent: Supervisor Ward - 1.

The President reassumed the Chair.

Consideration Continued

[Rules of Order - Appointees, Applications]
Motion amending Chapter 5, Rule 5.1, of the Rules of Order of the Board of Supervisors, requiring applicants for appointments to committees and commissions, which are subject to approval by the Board of Supervisors, to file applications with the Rules Committee at least seven days prior to the date on which such application shall be considered by the Rules Committee. (Supervisor Kennedy)

File 56-89-6

(Rule 1.3 of the Board of Supervisors' Rules of Order provides that an amendment to the Rules may, after one week's notice given by inclusion in the Board Calendar, be adopted by an affirmative recorded vote of two-thirds of all members of the Board.

In accordance therewith, consideration appropriately may be continued at least two week.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to January 2, 1990.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder - 9.

Absent: Supervisors Walker, Ward - 2.

Recommendations of Oversight Committee

Adopted as Amended

[Foster Children]
Resolution urging the Mayor to urge the Social Services Commission to implement a policy that ((limits)) encourages placement of foster children to homes that share the same ethnicity or race; and to

establish as its highest priority the reunion of foster children with their birth families. (Supervisors Hongisto, Kennedy)

File 107-89-15.1, Resolution No. 945-89

Supervisor Hongisto, seconded by Supervisor Kennedy, moved to amend title, line two, by replacing "limits" with "encourages" and to amend page one, line 20 to read: (1) The Department shall strive as its highest priority to place foster children in homes that share the same racial or ethnic community;".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Adopted

[State Legislation]
Resolution memorializing the State Legislature and the Speaker of the Assembly to take immediate steps to repeal SB 1177; relating to procedures for adoption of children. (Supervisors Hongisto, Kennedy)

File 107-89-15.2, Resolution No. 966-89

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Recommendation of Special Earthquake Recovery Committee

Adopted

[8th Avenue Earthquake Damage]
Resolution requesting the Mayor, the Chief Administrative Officer, the Director of Public Works, and the City Attorney to advise the Board on several questions related to providing assistance for the residents of the eastern side of 8th Avenue in the 1700 and 1800 blocks, whose homes were damaged by or threatened as a result of the October 17, 1989 earthquake, and urging the Mayor, the Chief Administrative Officer, and the Director of Public Works to initiate whatever steps may legally be taken to assist these residents. (Special Earthquake Recovery Committee)

File 270-89-31.2, Resolution No. 1-90

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker - 10.

Absent: Supervisor Ward - 1.

From Special Earthquake Recovery Committee
Without Recommendation

Passed for Second Reading

[Temporary Rent Reductions Due to Earthquake Damage]
Ordinance providing that restoring rent levels after temporary rent reductions for tenants due to damage as a result of the earthquake of October 17, 1989 does not constitute a rent increase for purposes of the Residental Rent Stabilization and Arbitration Ordinance. (Supervisor Kennedy)

File 270-89-26, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

From the Clerk

Adopted

[Condominium Project]
Motion approving final map of 2447 Vallejo Street, a condominium project, being a resubdivision of Lot 21 in Assessor's Block 562; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-89-30

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

Supervisor Ward Excused

President Britt announced he had excused Supervisor Ward from the remainder of the meeting.

COMMITTEE REPORTS

Adopted

[Proposition H, Sick Leave Transfer]
Resolution urging the Mayor to urge the Health Commission, Civil Service Commission and Retirement Board to meet the time requirement imposed by Proposition H and conduct a joint public hearing to develop and submit recommendations to the Board of Supervisors for the administration of sick leave transfers. (Supervisor Hongisto)

File 179-89-4, Resolution No. 964-89

Supervisor Gonzalez presented as recommendation of Governmental Operations Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Nelder, Walker - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Maher, Ward - 2.

[Proposition I, Vacation Leave Transfer]
Resolution urging the Mayor to urge the Health Commission to meet the requirement imposed by Proposition I and develop a definition of catastrophic illness for the purpose of a sick and vacation leave transfer program for City and County employees. (Supervisor Hongisto)

File 180-89-4, Resolution No. 965-89

Supervisor Gonzalez presented as recommendation of Governmental Operations Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Nelder, Walker - 9.

Absent: Supervisors Maher, Ward - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Prince Arcadia;
Dehnert Queen;
Paul Geriadi;
Peter Mendoza.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

Monday, December 18, 1989

File 1-89-50, Resolution No. 942-89

(Harry G. Britt, President, Board of Supervisors, December, 21-26; Nancy G. Walker, member, Board of Supervisors, January 2-8, 1990; Arnold Chin, member, Parking Authority, December 9 - 14; Louis J. Giraudo, member, Police Commission, December 4 - 9; Leonard Graff, member, Human Rights Commission, January 4 - 14, 1990; James D. Jefferson, President, Fire Commission, December 23-January 2, 1990; Leroy King, President, Redevelopment Agency, December 4-7; David H. Neely, member, Social Services Commission, December 21-27; Beverly J. Prior, member, Board of Permit Appeals, December 13-17; Donald R. Stephens, member, Airports Commission, December 19-January 1, 1990.)

Adopted.

[Hold Harmless Provision Continuation]
Resolution approving the continuation of a Household Hazardous Waste Collection Program agreement between Sanitary Fill Company, the Health Commission and the Chief Administrative Officer, including a hold harmless provision contained therein. (Supervisor Walker)

File 128-89-7, Resolution No. 944-89

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy - 6.

Absent: Supervisors Hsieh, Maher, Nelder, Walker, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Retirement Benefits]
Ordinance amending Administrative Code by amending Section 16.61-1 relating to "pick-up" of employee contributions to the City and County retirement system, by adding subsection f, which will implement employer "pick-up" of employee contributions to the City and County retirement system, as permitted by Internal Revenue Code Section 414(h)(2) and as authorized by Charter Section 8.500, as amended in November, 1988. (Supervisor Hallinan presented.)
Referred to Governmental Operations Committee.

File 97-89-17.1

[Small Claims Judgment Debtor Fee]
Ordinance amending Administrative Code by adding Section 8.32, establishing a fee of $25 to be paid by a small claims judgment debtor to the court if the judgment debtor chooses to pay a judgment

to the court rather than to the judgment creditor. (Supervisor Alioto presented.) Referred to Finance Committee.

File 97-89-59

[BBI Crane Operator Approval]
Ordinance amending Building Code by adding Section 306(a)(20) relating to certificate of crane operator approval. (Supervisors Gonzalez and Alioto presented.) Referred to Public Works Committee.

File 279-89-1

[BBI Special Inspections, Crane Safety]
Ordinance amending Building Code by adding Section 306(a) 19A-D relating to crane safety inspections. (Supervisors Gonzalez and Alioto presented.) Referred to Public Works Committee.

File 279-89-2

[Mayor's Homeless Task Force Review]
Resolution memorializing the Mayor to urge the Homeless Task Force to review and report on the feasibility of the Americans For Non-violent, Independent Living proposal. (Supervisor Kennedy presented.) Referred to Human Services Committee.

File 83-89-8

Referred to Board

[Interim Controls, Gasoline Stations]
Resolution amending Resolution No. 759-89, imposing Interim Controls to temporarily prohibit the conversion of service stations to non-service station uses for an eighteen month period, and establishing a task force to study permanent controls to advise the Board of Supervisors, by clarifying the membership of the task force to include a representative of service station dealers. (Supervisors Hallinan and Walker presented.) Referred to Board January 2, 1990 Immediate Adoption Calendar.

File 111-89-5.2

Adopted

[Extension of Peddler's Permit]
Resolution extending peddlers' permits for Chinatown vendors for a period of sixty days.

File 124-89-20, Resolution No. 940-89

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Walker, moved that the Board find the need to take action arose subsequent to publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Walker - 7.

Absent: Supervisors Hongisto, Maher, Nelder, Ward - 4.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy - 6.

Absent: Supervisors Hsieh, Maher, Nelder, Walker, Ward - 5.

[State Grant Funds]
Resolution declaring support for the application of the New Bayview Committee and the Friends of Islais Creek to the State of California for Urban Stream Restoration Grant Funds to be used for planning and implementing a demonstration restoration project in and near Islais Creek.

File 289-89-1, Resolution No. 943-89

Supervisor Ward presented for immediate adoption.

Supervisor Hongisto, seconded by Supervisor Kennedy, moved that the Board find the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker - 8.

Absent: Supervisors Maher, Nelder, Ward - 3.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy - 6.

Absent: Supervisors Hsieh, Maher, Nelder, Walker, Ward - 5.

Referred to Committee

[Ballot Measure]
Draft charter amendment (Fourth Draft) amending the Charter by adding Section 3.699.5 establishing a Human Rights Commission. (Supervisor Kennedy presented.) Referred to Rules Committee.

File 225-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending Sections 3.530, 3.540, 3.570, 3.590, 3.650, 3.660, 3.690 and 3.698 increasing the membership on various commissions from five to seven persons. (Supervisor Ward presented.) Referred to Rules Committee.

File 283-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending the Charter by adding Section 9.100-4 to provide that the election for the offices of mayor, district attorney and sheriff, be conducted every four years beginning with the 1992 general election and that the election for city attorney, treasurer, assessor and public defender be conducted every four years beginning with the 1994 general election and that the current term of office for the mayor, district attorney, sheriff, city attorney and treasurer be extended by one year. (Supervisor Britt presented.) Referred to Rules Committee.

File 285-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending Section 3.593 by adding two additional members appointed by the mayor to the composition of the health service board. (Supervisor Gonzalez presented.) Referred to Rules Committee.

File 287-89-1

[Ballot Measure]
Charter amendment (Skeletal) amending Section 8.452 relating to the hours, tours of duty and compensation of the uniformed ranks of the fire department (would set the normal week for firefighters). (Supervisor Kennedy presented on behalf of the Mayor.) Referred to Rules Committee.

File 290-89-1

[Ballot Measure]
Charter amendment (Skeletal) amending Section 8.407 relating to the definition of generally prevailing rate of wages for employees covered by Section 8.401 of the Charter, by reversing the effects of court judgments in the Corriea and Schach lawsuits. (Supervisor Walker presented.) Referred to Rules Committee.

File 291-89-1

[Ballot Measure]
Charter amendment (Skeletal) amending Sections 2.100-2.401 relating to the Board of Supervisors. (Supervisor Walker presented.) Referred to Rules Committee.

File 292-89-1

[Ballot Measure]
Charter amendment (Skeletal) amending Sections 3.100-3.101 relating to the Mayor. (Supervisor Walker presented.) Referred to Rules Committee.

File 293-89-1

[Ballot Measure]
Charter amendment (Skeletal) amending Sections 3.200-3.201 relating to the Office of the Chief Administrative Officer. (Supervisor Walker presented.) Referred to Rules Committee.

File 294-89-1

[Ballot Measure]
Charter amendment (Skeletal) amending Section 3.600 relating to composition of the Art Commission by adding one member representing the film and video industry/community; one ex-officio member from the Asian Art Museum; and the potential for one ex-officio member from the Museum of Modern Art and one ex-officio member from the Community Cultural Centers. (Supervisor Walker presented.) Referred to Rules Committee.

File 295-89-1

[Ballot Measure]
Charter amendment (Skeletal) amending Section 3.510 relating to transferring the functions of the Department of Public Works from the Chief Administrative Officer to under the jurisdiction of the Mayor and adding Part 23 creating a Public Works Commission with members appointed by the Mayor. (Supervisor Hongisto presented.) Referred to Rules Committee.

File 296-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending Section 3.521 to eliminate the Chief Administrative Officer and Manager of Utilities from the Planning Commission and to add two members to be appointed by the Mayor. (Supervisor Hongisto presented.) Referred to Rules Committee.

File 297-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending the Charter by adding Section 3.502 providing that as a policy goal, no board or commission shall be comprised of more than a simple majority of the same gender. (Supervisor Hongisto presented.) Referred to Rules Committee.

File 298-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending Section 8.100 providing that all appointees to charter or legislatively established boards, commissions and advisory bodies be residents of San Francisco. (Supervisor Hongisto presented.) Referred to Rules Committee.

File 299-89-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 8.506-2 relating to retirement benefits for fire safety inspectors and fire protection engineers. (Supervisor Hongisto presented.) Referred to Rules Committee.

File 300-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending Section 2.100 and adding Section 9.100-3 to reduce the number of members of the Board of Supervisors to seven by deleting two positions at the general election in 1992 and two positions at the general election in 1994, to assign supervisors to numbered seats and require each candidate for the office of supervisor to run for a numbered seat, effective with the general election in 1996. (Supervisor Hsieh presented.) Referred to Rules Committee.

File 301-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending Section 8.343 to allow the Police or Fire Commissions to refer discipline cases to a hearing officer. (Supervisor Hallinan presented.) Referred to Rules Committee.

File 302-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending Section 7.309 relating to financing purchase of equipment. (Supervisor Walker presented.) Referred to Rules Committee.

File 303-89-1

[Ballot Measure]
Draft Charter amendment (First Draft) amending Section 3.598 governing the setting of utility rates by the City and County, by clarifying the procedures used by the Board of Supervisors to approve or disapprove utility rate proposals approved by the Public Utilities Commission. (Supervisor Walker presented.) Referred to Rules Committee.

File 304-89-1

Requests for Hearings

File 92-89-59, By Supervisor Britt: To consider applicants for San Francisco Bay Crossing Study Advisory Committee. Referred to Rules Committee with request it be considered at the January meeting.

File 101-89-60.1, By Supervisor Walker: To consider rescinding $700,000, Municipal Railway and Public Utilities Commission for permanent salaries - miscellaneous and related mandatory fringe benefits, professional medical services, uniforms and services of other departments - Public Health; rescinding $932,184 from Municipal Railway Stores Revolving Fund, for the creation of thirteen positions for Municipal Railway and creation of one position for Public Utilities Commission; placing $93,000 on reserve (drug testing program). Referred to Finance Committee.

File 102-89-24.1, By Supervisor Walker: To consider repealing ordinance amending Annual Salary Ordinance 1989-90, Municipal Railway, reflecting the addition of thirteen positions; Public Utilities Commission, reflecting the addition of one position. Referred to Finance Committee.

File 177-89-4. By Supervisor Walker: To consider status report on plans being developed for approximately 550 acres of Water Department land in Pleasanton near I-680 and Bernal Avenue; funds already expended, anticipated additional funding; contracts for work on this project; work plan, time lines, status of any agreements with parties outside of the City; budgetary implications both immediately and over the next ten years. Referred to Finance Committee.

File 195-89-6. By Supervisor Walker: To consider status of Propositions 52 and 86 applications (jail bond financing). Referred to Finance Committee.

File 270-89-31.3. By Supervisor Nelder: To consider the obligation and responsibility of Department of Public Works or any other City department to reinforce the ground and hill off Seventh Avenue opposite the reservoir at Seventh and Clarendon and between those homes on Seventh Avenue and those on Eighth Avenue between Lawton and Ortega Streets. Referred to Earthquake Recovery Committee.

Motion

Referred to Committee

Motion ordering submission of an ordinance creating a Graffiti Clean-up and Neighborhood Beautification Fund, specifying the purposes therefor and providing that any business which owes a payroll expense tax or business tax may elect to designate a certain portion of the tax for deposit in the Graffiti Clean-up and Neighborhood Beautification Fund. (Supervisor Gonzalez presented.) Referred to Rules Committee.

File 286-89-1.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to Director of Public Works transmitting copy of correspondence concerning the flow of traffic at Ellis Street, between Stockton and Mason Streets and inquiring whether the Department can review and comment on the traffic situation.

By Supervisors Walker, Nelder and Maher, that City Attorney prepare legislation that will result in the deletion/loss of one City employee funded position when a new position is created.

By Supervisor Walker, that letters of inquiry be sent to the Mayor, Chief of Police; Director of Public Health; General Manager, Recreation and Park Department to determine how estimates are arrived pertaining to the number of homeless people residing in parks, particularly, Golden Gate Park and requesting written report regarding those numbers by the first week of January 1990.

By Supervisors Hsieh, Gonzalez and Maher, that letter of inquiry be sent to the Mayor concerning the following questions regarding the City's hiring and promotion of minorities: 1) Have specific goals and timetables for each City department and type of employment been prepared aimed at reducing the deficit of Asian Americans in the

administrative workforce; 2) what criteria are used to measure the success of department heads and appointing officials in meeting affirmative action goals and timetables; 3) is there a training program for department heads and commissioners on how to identify qualified minorities for administrative appointments; 4) what actions are being taken to recruit and hire minority professionals in departments where they are underrepresented and where their presence is critical to the effective delivery of services to their respective racial and ethnic communities; 5) has there been a study of the Rule of Three since its inception to determine whether it has had an adverse impact on administrative appointments of minorities; 6) what type of training do oral interview board members and appointing officials receive regarding how to identify and eliminate bias against accent and other non-job related factors; and 7) what action has been taken to ensure that City departments and Civil Service EEO units work together to ensure implementation of affirmative action policies.

By Supervisor Walker, that Budget Analyst prepare report on plans being developed for the approximately 550 acres of Water Department land in Pleasanton near I-680 and Bernal Avenue; funds already expended, anticipated additional funding; contracts for work on this project; work plan, time lines, status of any agreements with parties outside of the City; budgetary implications both immediately and over the next ten years.

By Supervisor Walker, that City Attorney prepare appropriate legislation creating the San Francisco Affordable Housing Trust Fund.

By Supervisor Walker, that City Attorney prepare appropriate legislation to amend the Narcotics Forfeiture and Asset Seizure Fund (Administrative Code Section 10.117-54(b)) to reduce the amount authorized to be expended without prior approval of the Board of Supervisors from $10,000 to $5,000.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Andrei Sakharov (Supervisor Hongisto)
Mary Bauer (Supervisor Kennedy on behalf of entire Board)

File 2-89-50

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:33 p.m. adjourned.

John L. Taylor, Clerk

Monday, December 18, 1989

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 21, 1990

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

25254·1